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No. 06-5754

Supreme Court, U.S.
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In the Supreme Court of the United States

VICTOR A. RITA, JR.,
PETITIONER,
v.
UNITED STATES OF AMERICA,
RESPONDENT.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

BRIEF FOR THE NEW YORK COUNCIL OF DEFENSE LAWYERS AS AMICUS CURIAE IN SUPPORT OF PETITIONER

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QUESTIONS PRESENTED

1. Was the district court's choice of within-Guidelines sentence reasonable?

2. In making that determination, is it consistent with *United States v. Booker*, 543 U.S. 220 (2005), to accord a presumption of reasonableness to within-Guidelines sentences?

3. If so, can that presumption justify a sentence imposed without an explicit analysis by the district court of the 18 U.S.C. § 3553(a) factors and any other factors that might justify a lesser sentence?

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STATEMENT OF INTEREST

The New York Council of Defense Lawyers ("NYCDL") is a not-for-profit professional association of approximately 200 lawyers (including many former federal prosecutors) whose principal area of practice is the defense of criminal cases in the federal courts of New York.[1] NYCDL's mission includes protecting and ensuring individual rights guaranteed by the U.S. Constitution by rule of law through education; supporting and advancing the criminal defense function by enhancing the quality of defense representation; taking positions on important defense issues; promoting study and research in the criminal justice system; and promoting the proper administration of criminal justice.

As *amicus curiae*, NYCDL offers the Court the perspective of very experienced practitioners who regularly handle some of the most complex and significant criminal cases in the federal courts. NYCDL has an interest in this case insofar as it will determine whether within-guidelines sentences are presumptively reasonable and whether federal criminal defendants receive the full benefit of the individualized sentencing process required by Congress in the Sentencing Reform Act and this Court in *United States v. Booker*, 543 U.S. 220 (2005). We believe that it is imperative to the protection of our clients' rights and to the establishment of a more just sentencing system that courts of appeals consider all of the factors enumerated in 18 U.S.C. § 3553(a) when reviewing sentences for unreasonableness. Review of all of the statutory factors is necessary to ensure that district courts give reasoned consideration to each individual defendant's circumstances when "impos[ing] a sentence sufficient, but not greater than

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[1] Petitioner has filed a general consent for amicus briefs in this case, and a letter of consent from Respondent has been submitted concurrently with this filing. No counsel for a party authored this brief in whole or in part, and no person other than the amici, their members, and their counsel made a monetary contribution to the preparation or submission of this brief. S. Ct. R. 37.6.

necessary" to comply with the statutory purposes of sentencing.

To assist this Court, NYCDL has undertaken an analysis of all post-*Booker* reasonableness review cases captured by its search terms (described in the appendix attached hereto ("App.")), from January 1, 2006 through November 16, 2006.[2] The complete results of NYCDL's work should help this Court appreciate the ways in which reasonableness review has been applied by the courts of appeals. The data suggest that all the courts of appeals—and especially those explicitly applying a presumption that within-guidelines sentences are reasonable—have failed to follow the parsimony command Congress set forth in Section 3553(a).[3]

SUMMARY OF ARGUMENT

In *Booker*, this Court developed a remedy for constitutional problems with the operation of the Sentencing Reform Act: It held that Section 3553(a) governs both district courts' sentencing decisions and appellate review of those decisions. Congress has directed district courts to consider all seven factors enumerated in Section 3553(a), not just the guidelines. In *Booker*, this Court instructed the circuits to review sentences for unreasonableness, guided by *all* of the factors listed in the statute. 543 U.S. at 261 (appellate courts are to assess unreasonableness "with regard to § 3553(a)").

When *Booker* was decided, "no one kn[ew] ... how advisory Guidelines and 'unreasonableness' review w[ould] function in practice." 543 U.S. at 311 (Scalia, J., dissenting

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[2] The starting date was chosen to avoid the need to filter out the large number of early post-*Booker* decisions that did not involve unreasonableness review, but instead addressed issues such as whether a pre-*Booker* sentence should be vacated and remanded for resentencing in light of *Booker*. The end date is shortly after this Court granted certiorari in this case. *See* App. at 1a n.1. NYCDL's appendix is also available at http://www.nycdl.org.

[3] This brief focuses principally on the second question presented.

in part). In the almost two years since *Booker*, the courts of appeals appear to have created their own distinctive *de jure* and *de facto* standards of review, which find no basis in Congress's statutory text and are entirely inconsistent with the parsimony provision of Section 3553(a).

NYCDL's findings reveal that the courts of appeals are universally affirming within-guidelines sentences. NYCDL discovered that *only one* within-guidelines sentence has been reversed as substantively unreasonable in at least 1,152 appeals. *See* App. at 3a. Sentences outside the advisory-guidelines range, however, receive inconsistent treatment in favor of higher sentences. The courts have been deferential to above-guidelines sentences, but have collectively disfavored below-guidelines sentences appealed by the government. In those circuits formally applying a presumption of reasonableness nearly every below-guidelines sentence appealed by the government has been reversed.

The results of reasonableness review are especially telling in the Fourth Circuit, from which this case arises.[4] For example, the court affirmed all 201 within-guidelines sentences appealed. *See* App. at 3a-4a, 43a-71a. Nine of ten above-guidelines sentences appealed by defendants were affirmed as reasonable (including some sentences in which the district court doubled and tripled the term of imprisonment relative to the guidelines range). *See* App. at 4a, 39a-40a. Yet all of the nine below-guidelines sentences appealed by the government were found unreasonable and reversed (including some sentences only modestly below the guidelines). *See* App. at 4a, 42a-43a.

These patterns, which strongly suggest that courts are not applying review for unreasonableness in a manner consistent with Section 3553(a), especially the parsimony provision, likely result from two errors: (1) a general failure

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[4] The data from the Eighth Circuit are similar, as discussed in Brief of New York Council of Defense Lawyers, as Amicus Curiae Supporting Petitioner, *Claiborne v. United States*, No. 06-5618 (2006).

to attend to the words Congress used in Section 3553(a) and (2) a mistaken assumption that the guidelines incorporate all of the required Section 3553(a) considerations.

First, the plain language of Section 3553(a) requires a district court to "impose a sentence sufficient, but not greater than necessary to comply with the purposes of" sentencing set forth in Section 3553(a)(2), while "consider[ing]" seven specified factors, only one of which is the guidelines range. Very few courts of appeals have even mentioned this parsimony provision when reversing below-guidelines sentences and when affirming above-guidelines sentences. Moreover, the plain language does not contemplate—or leave room for—the extra-textual presumption adopted by the courts of appeals to consistently affirm within-guidelines sentences. *Cf. Koon v. United States*, 518 U.S. 81, 108 (1996) (explaining that "[s]o long as the overall sentence is 'sufficient, but not greater than necessary, to comply' with the above-listed goals, the statute is satisfied") (quoting § 3553(a)).

Second, courts have wrongly assumed that the guidelines account for all of the other Section 3553(a) factors. But while the courts stress that the U.S. Sentencing Commission has studied and revised the guidelines for eighteen years, they have ignored the Commission's own declaration following its comprehensive study that "the reformed sentencing system has fallen short of th[e] ideal in several respects" and has failed to fully achieve "the goals of sentence reform." U.S. Sentencing Commission, Fifteen Years of Guidelines Sentencing: An Assessment Of How Well The Federal Criminal Justice System Is Achieving The Goals Of Sentencing Reform 144 (2004) ("USSC Assessment Report"). The Commission has expressly and repeatedly found that, in many circumstances, the guidelines are not parsimonious and do not serve the goals set forth in Section 3553(a)(2).

ARGUMENT

The plain language of Section 3553(a) does not support a presumption of reasonableness for within-guidelines

sentences and the Commission's own analysis undermines the basis for any presumption. Nevertheless, the data in our empirical study reveal that the courts of appeals are operating as if the guidelines fulfill the mandates of Section 3553(a). The consequences of these errors reinforce the conclusion that the courts of appeals have misunderstood and misapplied this Court's remedy in *Booker*, including its directive that "Section 3553(a) ... sets forth numerous factors that guide sentencing. Those factors in turn will guide appellate courts ... in determining whether a sentence is reasonable." *Id.* at 261.

I. THE EMPIRICAL DATA REVEAL NON-PARSIMONIOUS PATTERNS IN THE APPLICATION OF REASONABLENESS REVIEW

The analysis conducted by NYCDL incorporated 1,152 within-guidelines sentences appealed by defendants. *See* App. at 2a-3a. These sentences were affirmed in 1,136 cases and vacated in only 16 cases. *Id.* at 3. Moreover, 15 of the sentences were vacated for *procedural* reasons—that is, the court of appeals held that the district court did not adequately explain its reasons for the sentence imposed and therefore adequate appellate review was not possible. *Id.* Only one sentence out of 1,152 within-guidelines sentences challenged on appeal for reasonableness has been found to be substantively unreasonable. *Id.* at 3a, 156a.

The Commission has in its reports, discussed *infra*, repeatedly stated that sentences recommended by the guidelines in many classes of cases are often greater than necessary to achieve the sentencing purposes Congress described in Section 3553(a)(2). The Commission's findings should prompt suspicion about an appellate pattern in which less than .08% of appealed within-guidelines sentences are reversed as substantively unreasonable.

Moreover, if the guidelines are truly viewed as a benchmark of reasonableness by the courts of appeals, even though the Commission itself does not espouse this view, *see generally* USSC Assessment Report, one would expect

those courts to be *equally* concerned about variances above the guidelines range *and* those that vary below the range. But the pattern of appellate review tells a different story.

NYCDL's study included 154 above-guidelines sentences appealed by defendants arguing that the sentence was unreasonable. Only seven of these sentences were found to be unreasonable. *See* App. at 2a. But, the courts of appeals have been far less deferential, and nearly intolerant, when a district court exercises its discretion to impose a below-guidelines sentence. The government has appealed 71 below-guidelines sentences and achieved *60* reversals. *Id.*[5]

NYCDL's study also reveals that the formal adoption of a presumption of reasonableness for within-guidelines sentences seems to affect the review of even those sentences not within the guidelines. In the circuits that have formally adopted this presumption, there were 51 below-guidelines sentences appealed by the government. *Forty-seven* of these sentences were vacated as unreasonable. *Id.* at 3a. In those circuits not formally invoking a presumption, the government has prevailed in 13 of its 20 appeals. *Id.*[6]

The reasonableness review outcomes are especially non-parsimonious in some circuits. In the First, Fourth, and Fifth Circuits, the government has been successful in all of

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[5] Although it is likely that the government is somewhat more selective in its appeals, the stark difference between the findings for above- and below-guidelines sentences suggests that selectivity cannot explain everything.

[6] Additionally, below-guidelines sentences have proved immune from reversal when a *defendant* appeals (0 reversals despite 138 appeals, App. at 2a), and some courts appear to have suggested that in these circumstances, defendants have nothing legitimate to complain about. *See, e.g., United States v. Griffin*, 187 Fed. Appx. 13, at *3 (1st Cir. 2006) (rejecting defendant's argument for a lower sentence because "a sentence below the guideline range ... suggests mitigating factors are already at work"); *United States v. Peyla*, 2006 WL 3610113, at *2 (7th Cir. 2006) (finding "nothing unreasonable" about a sentence that was already one month below the guidelines range).

its below-guidelines sentence appeals. *Id.* at 5a-6a (First Circuit, 4/4; Fourth Circuit, 9/9; Fifth Circuit, 5/5). In the Second, Third, Seventh, Tenth, and Eleventh Circuits, no defendant has successfully challenged an above-guidelines sentence as unreasonable. *Id.* at 5-6 (Second: 0/6; Third: 0/10; Seventh: 0/8; Tenth: 0/8; Eleventh: 0/23). The pattern in the Eighth Circuit exemplifies how far the circuits have strayed from the statute: there, only one of 22 above-guidelines sentences appealed by defendants has been reversed, in stark contrast to the *27 of 28* below-guidelines sentences appealed by the government that have been vacated as unreasonable. *Id.* at 4a, 132a-34a, 137a-41a.

The message that emerges from this pattern of appellate review is one that discourages district courts from the exercise of thoughtful discretion in service to the full range of considerations Congress articulated in Section 3553(a).[7] The influence of the circuits' singular focus on the guidelines is illustrated by cases like Mr. Rita's where substantial evidence is presented regarding the particular defendant's circumstances indicating that a sentence below the guidelines range would be "sufficient, but not greater than necessary," to achieve congressional sentencing purposes. Mr. Rita was a decorated veteran who served in the Vietnam and Gulf Wars; suffers from serious health problems due to exposure to Agent Orange and an injury suffered in military service; and made a strong showing that he would likely be the target of prison violence due to his lengthy civilian government service including as an immigration officer and investigator for the Department of Homeland Security. Petition for Writ of Certiorari, *United*

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[7] NYCDL's findings may underestimate the non-parsimonious impact of the courts of appeals reasonableness review. These numbers do not capture those within-guidelines sentences that were not appealed, or the significant number of appeals that continue to challenge *only* the guidelines calculation. *E.g.*, *United States v. Hernandez-Castillo*, 449 F.3d 1127, 1130 (10th Cir. 2006) ("Mr. Hernandez-Castillo does not challenge the reasonableness of the sentence imposed by the district court.").

States v. Rita at 13-16, No. 06-5754 (2006). Surely these facts provide a sound basis under Section 3553(a) for a sentence below the nearly three-years' imprisonment suggested by the guidelines. But the district judge and court of appeals, drawn to the anchors provided by the guidelines, rotely opted for a guidelines sentence without any clear justification other than that it was a guidelines sentence.

A presumption in favor of guidelines sentencing, and the actual results of that presumption, necessarily pressure district courts—especially in close cases—toward imposing within-guidelines sentences to avoid the risk of reversal. It is therefore not surprising that the Commission's latest data show that, as the guideline-centric patterns and rulings have emerged from the courts of appeals, district judges over the last six months have less frequently sentenced outside of the guidelines. U.S. Sentencing Commission, Preliminary Quarterly Data Report, 4th Quarter Release, Preliminary Fiscal Year 2006 Data Through September 30, 2006. The message sent is clear when the courts of appeals affirm nearly all within- and above-guidelines sentences and reverse most below-guidelines sentences.[8] The signal is to employ less discretion, except if imposing a higher sentence—which is precisely the *opposite* of what the parsimony provision of Section 3553(a) expressly requires.

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[8] The circuits not expressly adopting a presumption have still made clear to district courts that sentences within the guidelines range will ordinarily be affirmed. *See, e.g., See United States v. Pelletier*, 2006 U.S. App. LEXIS 29214, at *26-27 (1st Cir. 2006) ("[A] defendant who attempts to brand a within-the-range sentence as unreasonable must carry a heavy burden."); *United States v. Fernandez*, 443 F.3d 20, 27 (2d Cir. 2006) ("We recognize that in the overwhelming majority of cases, a Guidelines sentence will fall comfortably within the broad range of sentences that would be reasonable in the particular circumstances."); *United States v. Cooper*, 437 F.3d 324, 331 (3d Cir. 2006) ("[A] within-guidelines range sentence is more likely to be reasonable than one that lies outside the advisory guidelines range ...."); *United States v. Talley*, 431 F.3d 784, 788 (11th Cir. 2005) ("[O]rdinarily we would expect a sentence within the Guidelines range to be reasonable.").

See, e.g., United States v. Hartley, CR No. 2:06-00017, Tr. 7:24-9:24, Aug. 10, 2006, *available at* www.fd.org/HartleyTranscript8.10.06 (The Court: "[T]he Fourth Circuit Court of Appeals ... has established a pretty rigid view that the guidelines are not only presumptively reasonable, but the requirement is that in order to sentence outside the guidelines, you have to show that the guideline sentence is in some fashion unreasonable it almost seems.").

II. INATTENTIVENESS TO THE TEXT OF SECTION 3553(a) HAS SKEWED REASONABLENESS REVIEW

This Court has instructed the courts of appeals to review district courts' compliance with Congress's parsimony statute for unreasonableness, "guid[ed]" by "Section 3553(a)['s] ... numerous factors." *Booker*, 543 U.S. at 261, 264.

A. Section 3553(a) Requires District Courts To Consider Seven Factors And To Impose A Sentence Sufficient But Not Greater Than Necessary To Comply With Congress's Statement Of The Purposes Of Sentencing

"[I]n any case of statutory construction, [this Court's] analysis begins with 'the language of the statute.' And where the statutory language provides a clear answer, it ends there as well." *Hughes Aircraft Co. v. Jacobson*, 525 U.S. 432, 438 (1999) (citations omitted). The language of Section 3553(a) is plain: it instructs district courts to "consider" a number of factors, but has only one mandate—the "court *shall* impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2)." 18 U.S.C. § 3553(a) (emphasis added).[9]

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[9] Previously, the parsimony provision had to be applied in conjunction with the statute's primary mandate—§ 3553(b)'s requirement that the court *shall* impose a guidelines sentence unless there was a basis for a guidelines departure. In *Booker*, however, this Court excised § 3553(b), after concluding that "[t]he remainder of the Act 'functions independently,'" 543 U.S. at 259 (citation omitted), leaving the parsimony

The words of Section 3553(a) should be given their "ordinary meaning." *Jones v. United States*, 529 U.S. 848, 855 (2000) (citation omitted). Here, the parsimony provision uses "the mandatory [term] 'shall,' which normally creates an obligation impervious to judicial discretion." *Lexecon v. Milberg Weiss Bershad Hynes & Lerach*, 523 U.S. 26, 35 (1998); *Bd. of Pardons v. Allen*, 482 U.S. 369, 374 (1987) (The "use of the word shall" signifies "mandatory language."); *United States v. Vonner*, 452 F.3d 560, 565 (6th Cir. 2006) ("Complying with Section 3553(a) is not optional."), *vacated by* 2006 U.S. App. LEXIS 27661 (6th Cir. 2006). This Court's opinion in *Booker* itself recognizes that "shall" binds district judges. 543 U.S. at 249 (explaining that Section 3553(b), providing that courts "shall" follow the guidelines, renders them "mandatory").

In serving the statute's parsimony mandate, a district court "shall consider" seven specific sentencing factors in determining the parsimonious sentence that the court *shall impose*. 18 U.S.C. § 3553(a) (emphasis added).[10] "Consider," of course, is commonly understood to mean, "to think about," Webster's New World Dictionary 303 (2d College Ed. 1984), and it requires contemplation, but does

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provision as the only direct statutory mandate that the district court must follow. The purposes that Congress set forth in paragraph (2) are "the need for the sentence imposed to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; to afford adequate deterrence to criminal conduct; to protect the public from further crimes of the defendant; and to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner." 18 U.S.C. § 3553(a)(2)(A)-(D).

[10] The factors (apart from the guidelines, *see* 18 U.S.C. § 3553(a)(4)) that a district court shall "consider" are: "the nature and circumstances of the offense and the history and characteristics of the defendant," the sentencing policies set forth by Congress, "the kinds of sentences available," pertinent policy statements from the Commission, "the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct," and "the need to provide restitution to any victims of the offense." *Id.* §§ 3553(a)(1)-(3), (5)-(7).

not go so far as to require action based on that contemplation. The statute thus instructs district courts to impose a "sentence sufficient, but not greater than necessary to comply with the purposes of paragraph (2)" and in the process of reaching that determination, the court must think carefully about six additional factors, only one of which is the advisory-guidelines range. "[S]ubsection (a) of § 3553 of the sentencing statute lists the Sentencing Guidelines as one factor to be considered in imposing a sentence." *Booker*, 543 U.S. at 234. There is no hierarchy among the factors a district court must "consider" and nothing in the statutory language supports an interpretation that Section 3553(a)(4)(A) is entitled to more weight than other factors. As Justice Scalia observed, "[t]he statute provides no order of priority among all those factors." *Id.* at 304-05 (dissenting in part). "Where, as here, the statute's language is plain, the sole function of the courts is to enforce it according to its terms.'" *United States v. Ron Pair Enters, Inc.*, 489 U.S. 235, 241 (1989) (citation omitted).

B. A Presumption Of Reasonableness For Within-Guidelines Sentences Is Incompatible With The Text Of Section 3553(a)

At least seven circuits have adopted an explicit presumption of reasonableness and endorsed an approach to sentencing that is less parsimonious and less individualized than the statute unambiguously requires. This is true of at least the Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, and D.C. Circuits,[11] where a "defendant can rebut this presumption only by demonstrating that his or her [guidelines] sentence is unreasonable *when measured*

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[11] *See United States v. Green*, 436 F.3d 449 (4th Cir. 2006); *United States v. Alonzo*, 435 F.3d 551 (5th Cir. 2006); *United States v. Williams*, 436 F.3d 706 (6th Cir. 2006); *United States v. Mykytiuk*, 415 F.3d 606 (7th Cir. 2005); *United States v. Lincoln*, 413 F.3d 716 (8th Cir. 2005); *United States v. Kristl*, 437 F.3d 1050 (10th Cir. 2006); *United States v. Dorcely*, 454 F.3d 366 (D.C. Cir. 2006).

against the factors set forth in § 3553(a)." *Mykytiuk*, 415 F.3d at 608 (emphasis added).

Because the guidelines had primacy and were legally binding before *Booker*, it is perhaps not surprising that circuit courts have elevated the guidelines above the other factors enumerated in Section 3553(a) when conducting reasonableness review. But an affinity for within-guidelines sentences—whether through a formal presumption of reasonableness or a pattern of affirmances—is inconsistent with Section 3553(a) in two respects.

First, it endows the guidelines with a special, most-favored status among Section 3553(a)'s factors that is nowhere in the words of the statute enacted by Congress (and left unchanged in two years since *Booker*) or this Court's opinion in *Booker*. Such a construction would effectively read out of the statute and functionally nullify Sections 3553(a)(1)-(3) and Sections 3553(5)-(7). Courts, however, "are obliged to give effect, if possible, to every word Congress used," *Reiter v. Sonotone Corp.*, 442 U.S. 330, 339 (1979), and where "[t]he statute admits a reasonable construction which gives effect to all of its provisions ... [this Court] will not adopt a strained reading which renders one part a mere redundancy," *Jarecki v. G.D. Searle & Co.*, 367 U.S. 303, 308 (1961).

This Court has invalidated other judicially created presumptions based on the satisfaction of one factor where Congress has enumerated a list of factors to be "considered." In *Campbell v. Acuff-Rose Music*, 510 U.S. 569, 594 (1994), the Court held that a presumption against fair use based solely on the commercial nature of a parody was incompatible with section 107 of the Copyright Act, which lists four factors for courts to "consider[]" in determining whether an artistic work is fair use. *Id.* at 577. This Court explained: "The task is not to be simplified with bright-line rules, for the statute, like the doctrine it recognizes, calls for case-by-case analysis ... . Nor may the four statutory factors be treated in isolation, one from another. All are to be explored, and the results weighed

together, in light of the purposes of copyright." *Id.* at 577-78 (citations omitted).

The courts adopting a presumption of reasonableness for within-guidelines sentences have effectively done what *Campbell* prohibits—they have interpreted Section 3553(a)'s directive to "consider" the guidelines to mean "follow unless," by some undefined quantum of evidence, the defendant can prove that a guidelines sentence is inappropriate. The presumption "indicate[s] that the Guideline range *is* to be used unless (by some evidentiary standard) a party can prove to the contrary. That is much more than a mere consult for advice, and the Guidelines are to be no more than that." *United States v. Zavala*, 443 F.3d 1165, 1169 (9th Cir.) (emphasis in original), *vacated by* 462 F.3d 1066 (9th Cir. 2006); *accord United States v. Hunt*, 459 F.3d 1180, 1185 (11th Cir. 2006). Because of heavy criminal caseloads, it is perhaps understandable why circuits might look for convenient "bright-line rules" like a presumption of reasonableness to simplify their appellate task. But, as in *Campbell*, this Court should make clear that, when the statutory text demands a refined case-by-case analysis, courts of appeals may not create extra-textual doctrines in an effort to evade congressionally-imposed responsibilities.

Second, the "guidelines unless" approach promotes an unthinking and reflexive adherence to the guidelines, especially in close cases where, absent the presumption, a below-guidelines sentence would be "sufficient, but not greater than necessary" to meet the purposes of sentencing.[12] The presumption, therefore, cannot be

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[12] Though the courts of appeals half-heartedly reject the suggestion that the presumption says anything about sentences outside of the range, *Green*, 436 F.3d at 457 ("A sentence falling outside of the properly calculated Guidelines range is not *ipso facto* unreasonable."), at the very least, the presumption "cast[s] a discouraging shadow on trial judges who otherwise would grant variances in exercising their independent judgment." *United States v. Buchanan*, 449 F.3d 731, 740 (6th Cir. 2006) (Sutton, J., concurring).

reconciled with the parsimony provision established by Congress as the primary directive in Section 3553(a).[13]

Confronted by text intolerant of that presumption, most courts have simply chosen to ignore the parsimony provision. *See United States v. Jimenez-Beltre*, 440 F.3d 514, 525 n.8 (1st Cir. 2006) (en banc) (Lipez, J., dissenting) (noting that the parsimony provision has received "scant attention"). Only a handful of the more than 1,500 decisions examined in NYCDL's study even mention the parsimony provision. *Cf.* Douglas A. Berman, *Crack sentencing and the anti-parsimony pandemic*, Sentencing Law & Policy Weblog, available at http://sentencing.typepad.com/sentencing_law_and_policy/2006/06/crack_sentencin.html (noting that circuit courts reversing below-guidelines crack sentences have consistently avoided any mention of the parsimony provision).

Some courts applying the presumption of reasonableness have all but acknowledged that the presumption is inconsistent with parsimony. In *United States v. Wurzinger*, 467 F.3d 649, 653 (7th Cir. 2006), for example, the Seventh Circuit held that "[w]hile we say nothing about whether a lower sentence would have been equally reasonable, age and illness do not, in the face of the circumstances presented here, make Wurzinger's sentence unreasonable." But, if the parsimony provision has any meaning, then in the face of two equally sufficient sentences, the court *must* impose the lower sentence. *See, e.g., United States v. Carey*, 368 F. Supp. 2d 891, 895 n.4 (E.D. Wis. 2005) (Adelman, J.) ("When two sufficient and reasonable sentences are potentially applicable, the statute directs the

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[13] *See, e.g.*, Richard S. Frase, *Punishment Purposes*, 58 Stan. L. Rev. 67, 83 (2005) (concluding that "the structure of section 3553(a), which begins with the parsimony provision "sets overall limits on the crime-control and other purposes which follow"); David L. McColgin & Brett G. Sweitzer, *Grid & Bear It*, 29 Champion 50, 50 (2005) (stating that the parsimony provision "is not just another 'factor' to be considered along with others set forth in Section 3553(a) ... —it sets an independent limit on the sentence a court may impose").

court to choose the lesser one."); *United States v. Yopp*, 453 F.3d 770, 774 (6th Cir. 2006) (finding that a higher sentence imposed by the district court violated the parsimony provision where the district court also articulated a lower sentence that would satisfy the purposes of sentencing).

Some courts have even concluded that other statutory factors to be "consider[ed]" can outweigh the mandate of the parsimony provision. *See, e.g., United States v. Davis*, 458 F.3d 491, 495-96, 500 (6th Cir. 2006) (vacating below-guidelines sentence and concluding that adherence to the guidelines in order to avoid sentencing disparities outweighed parsimony provision's directive). More courts have suggested that the guidelines sentences themselves embody "sufficient" punishment—a conclusion supported by the courts of appeals' penchant for affirming all within-guidelines sentences and finding below-guidelines sentences unreasonable. *See, e.g., United States v. Charles*, 467 F.3d 828, 833 (3d Cir. 2006) (rejecting defendant's challenge to a high-end guidelines range sentence based on the parsimony provision). That a sentence is "sufficient," however, says nothing about whether it is "greater than necessary."

III. THE SENTENCING COMMISSION'S OWN ANALYSIS HIGHLIGHTS THE FLAWS OF A PRESUMPTION OF REASONABLENESS FOR WITHIN-GUIDELINES SENTENCES

Several courts have presumed that within-guidelines sentences are reasonable because they believe that the guidelines take into account all of the other Section 3553(a) factors and that they further all of the goals of sentencing. Both beliefs are misguided. The guidelines were not promulgated to comply with the parsimony provision, and the Commission itself has found that the guidelines sentencing system "has fallen short ... in several respects." USSC Assessment Report at 144.

A. The Guidelines Do Not Take Into Account All Of The Sentencing Factors That Congress Requires District Courts To Consider

Many courts have justified the presumption of reasonableness on the theory that the guidelines already take into account all of the other Section 3553(a) factors. That is wrong as a textual matter. The statutory instructions that Congress gave to the Commission do not task it with deciphering Section 3553(a)'s command that sentencing courts "impose a sentence sufficient, but not greater than necessary, to comply with the purposes" of punishment. Additionally, when developing and revising the guidelines, the Commission has never fully explored—nor even formally addressed—whether the guidelines serve this mandate.

Further, the process by which the guidelines were created, and the Commission's own statements regarding their deficiencies, undermine any claim that the guidelines render the Section 3553(a) factors extraneous. Congress directed the Commission to promulgate guidelines to further the purposes of sentencing enumerated in Section 3553(a)(2)—just punishment, deterrence, protection of the public, and effective education and treatment for offenders. The Commission, however, was comprised of members with wide-ranging beliefs on criminal justice. Consequently, the guidelines represent "compromises and contradictions in both the goals to be achieved by sentencing reform and in the mechanisms created to achieve them." USSC Assessment Report at 3. Importantly, the original Guidelines Manual suggests that the Commission considered only "just deserts" and "crime control," rather than all of the statutory purposes, when promulgating the guidelines. *See* U.S. Sentencing Guidelines Ch. 1, Pt. A(3) (1988).

In addition, the Commission itself has recognized that it could not "anticipate and describe in general guidelines every possible circumstance relevant to sentencing in every case." USSC Assessment Report at 32. The "difficulty of foreseeing and capturing a single set of Guidelines that

encompasses the vast range of human conduct potentially relevant to a sentencing decision" prompted the Commission to permit departures from the guidelines, even under a mandatory guidelines scheme. United States Sentencing Commission, Downward Departures from the Federal Sentencing Guidelines 3 (2003) (quoting U.S.S.G., Ch. 1, Pt. A (4)(B) (Apr. 13, 1987)). The belief that the guidelines account for all relevant sentencing factors is also inconsistent with this Court's decision in *Koon*. There, this Court observed that "the Commission chose to prohibit consideration of only a few factors, and not otherwise to limit, as a categorical matter, the considerations that might bear on the decision to depart." 518 U.S. at 94.

At the same time, however, the Commission has added additional, only marginally relevant, factors to be evaluated in calculating a defendant's offense level. This has led to what the Commission has called "factor creep" in which "[a]djustments that appear necessary to achieve proportional punishment may in actuality result in arbitrary distinctions among offenders." USSC Assessment Report at 137. According to the Commission, "[c]omplex rules with many adjustments may foster a perception of a precise moral calculus but on closer inspection this precision proves false." *Id.* And, "as more and more adjustments are added to the sentence rules, it is increasingly difficult to ensure that the interactions among them, and their cumulative effect, properly track offense seriousness." *Id.* "Factor creep" has also been largely upward, while the Commission has rejected consideration of significant mitigating factors that bear upon personal culpability. *See, e.g., United States v. Davern*, 970 F.2d 1490, 1503 (6th Cir. 1992) (en banc) (Merritt, C.J., dissenting) ("The Commission has simply ignored many of the provisions of the statute that weigh in favor of leniency ... .").

The Commission's own series of reports on recidivism also show that many factors affecting deterrence (a statutory goal) are not captured by the guidelines. These reports indicate that factors such as age, marital status,

employment history, and educational advancement affect recidivism rates. *See* U.S. Sentencing Commission, Measuring Recidivism: The Criminal History Computation of the Federal Sentencing Guidelines, a Component of the 15 Year Report 29 (2004). Yet the guidelines' policy statements proclaim that these factors "are not ordinarily relevant" to a district court's sentencing decision. U.S.S.G. §§ 5H1.1 (age), 5H1.2 (education), 5H1.5 (employment record) 5H1.6 (family ties) (2006).

More specifically, Section 3553(a)(1) requires a district court to "consider the nature and circumstances of the offense and the history and characteristics of the defendant." *See also* 18 U.S.C. § 3661 ("No limitation shall be placed on the information concerning the background, character, and conduct of a person convicted of an offense which a court of the United States may receive and consider for the purpose of imposing an appropriate sentence."). The guidelines, of course, are generalizations and cannot possibly take into account the history and characteristics of any particular defendant. And, the guidelines specifically *prohibit* consideration of many of a defendant's personal characteristics, including lack of guidance as a youth, U.S.S.G. § 5H1.12, drug or alcohol dependence, *id.* § 5H1.4, and post-sentencing rehabilitation, *id.* § 5K2.19. Other discouraged factors include mental or emotional conditions, *id.* § 5H1.3, physical condition, *id.* § 5H1.14, family responsibilities, *id.* § 5H1.6, and public service or military contributions, *id.* § 5H1.11. But, as Judge Merritt has pointed out: "that the Commission has abdicated its duty to consider the 'purposes' of sentencing and the personal characteristics of defendants does not authorize a court to abdicate its duty to impose a sentence 'not greater than necessary' under § 3553(a)." *Davern*, 970 F.2d at 1503 (dissent). Rather, as this Court held in *Booker*, sentencing courts must "consider 'the nature and circumstances of the offense and the history and characteristics of the defendant.'" 543 U.S. at 249 (quoting § 3553(a)(1)).

B. The Sentencing Commission Has Found That The Guidelines Can Result In Sentences That Do Not Effectively Serve The Goals Of Section 3553(a)

The courts of appeals have ignored the Commission's own findings that in some respects the guidelines are flawed and have not "worked as intended." USSC Assessment Report at xvi.

The Commission Has Reported Disparity At The Pre-Sentencing Stages

The Commission has reported that "a variety of evidence developed through the guidelines era suggests that the mechanisms and procedures designed to control disparity arising at presentencing stages are not all working as intended," USSC Assessment Report at xii, 82, and that "significant evidence suggests that presentencing stages introduce disparity in sentencing," *id.* at xvi. Charging decisions and the non-uniform standards for the preparation of pre-sentencing reports foster and perpetuate disparities between similarly situated offenders. *Id.* at 82-86. Statutory enhancements are unevenly charged by prosecutors in different districts across the country. *Id.* at 90. Regional disparities, which "may have even increased among drug trafficking offenses" under the guidelines, *id.* at 94, are also caused by prosecutors' decisions with respect to substantial assistance motions, *id.*, and by "irregular and inconsistent policies and practices among the various districts," *id.* at 104.[14] In addition, many pre-sentencing decisions "disproportionately disadvantage minority offenders." *Id.* at 91. Not only have the guidelines mechanisms designed to address these disparities failed to work as intended, they work badly "*in one direction*," *id.* at 92 (emphasis added), by authorizing enhanced sentences

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[14] Commentators have found that regional disparity has "more than tripled after implementation of the Guidelines." Albert W. Alschuler, *Disparity: The Normative and Empirical Failure of the Federal Guidelines*, 58 Stan. L. Rev. 85, 101 (2005).

even for uncharged or dismissed conduct, but by providing no comparable mechanism to reduce sentences for conduct that was inflated by charging decisions, *id.*

A chief goal of the remedy this Court adopted in *Booker* was to minimize the impact of prosecutorial charging and bargaining choice at sentencing. 543 U.S. 257 (rejecting the dissenters' remedy in part because it would vest prosecutors with discretionary power that properly resides with judges). Moreover, as Justices of this Court and lower court judges have recognized, "[m]ost of the sentencing discretion should be with the judge, not the prosecutors" and "a transfer of sentencing discretion from a judge to an Assistant U.S. Attorney, often not much older than the defendant, is misguided." Justice Anthony M. Kennedy, Speech at the American Bar Association Annual Meeting (Aug. 9, 2003), *available at* http://www.supremecourtus.gov/publicinfo/speeches/sp_08-09-03.html; *see also Davern*, 970 F.2d at 1508 (Merritt, C.J., dissenting) (stating that under the mandatory guidelines, "[t]he prosecutors ... effectively control both the charging and the sentencing system[] [a]nd to an ever-increasing extent, the two are one and the same"). Unfortunately, the Commission's assessments have revealed that, under rigid enforcement of the guidelines, "discretionary decisions by law enforcement officers and prosecutors at presentencing stages have greater influence ..., since later actors [that is, judges] have fewer opportunities to ameliorate any effect of disparate treatment prior to sentencing." USSC Assessment Report at 99. After *Booker*, however, the guidelines are only one of seven factors for the judge to consider in fashioning a sentence, and judges now have greater opportunity to remedy disparate presentencing treatment through reasoned decisions to move away from the guidelines' recommendations in appropriate cases.

Problems With The Drug Guidelines

Drug offenses make up the largest portion of the federal criminal docket, but "the guidelines' Drug Quantity Tables[] fail in some cases to reflect the relative harmfulness of

different drugs." USSC Assessment Report at vii. The guidelines' quantity-based approach and relevant conduct rules have "had the effect of increasing prison terms far above what had been typical in past practice, and in many cases above the level required by the literal terms of the mandatory minimum statutes." *Id.* at 49. These tables, as a result, greatly elevate the importance of *quantity* over other offense characteristics. *Id.* at 50. As the Commission has found, quantity can be "a particularly poor proxy for the culpability of low-level offenders, who may have contact with significant amounts of drugs, but who do not share in the profits or decision-making." *Id.* at 52. The Commission's findings point out that rigid adherence to all of the drug trafficking guidelines can and will result in sentences that are *greater than necessary* to comply with the purposes of sentencing set forth by Congress.[15]

Problems With The Career Offender Guideline

The Commission has also found that the career offender guideline has a disproportionate impact on low-level and minority drug offenders without serving any justifiable purpose. The Commission's evidence shows that "recidivism rates of drug trafficking offenders sentenced under the career offender guideline based on prior drug convictions ... are much lower than [for] other offenders who are assigned to criminal history category VI." USSC Assessment Report at 134. In fact, these offenders' recidivism rates are more similar to those of offenders in lower criminal history categories "in which they would be placed under normal criminal history scoring rules" absent the career offender guideline. *Id.* at 134. The Commission has concluded that "[t]he career offender guideline ... makes the criminal history category a *less* perfect measure of

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[15] Although some of these problems result from the statutory mandatory minimum, the guidelines themselves often dictate the actual sentence, significantly increasing average sentence length by "[a]bout 25 percent, or eighteen months" *above* the mandatory minimums. *Id.* at 54 (Commission statistic for offenders sentenced in 2001).

recidivism than it would be without the inclusion of offenders qualifying only because of prior drug offenses." *Id.* (emphasis in original).

Other Sources Of Unwarranted Guidelines Disparity

The guidelines have also *increased* sentencing disparities based on race, USSC Assessment Report at 115, and "have a greater adverse impact on Black offenders than did the factors taken into account by judges in the discretionary system in place immediately prior to guidelines implementation." *Id.* at 137.[16] The Commission also reports that "unexplained differences in the sentencing of women compared to men are greater than any unexplained differences in the sentencing of different racial and ethnic groups." *Id.* at 118. The Commission's empirical work indicates that a nine-month gender disparity in the average sentence imposed before the guidelines has been replaced by a 23-month gender disparity in the average sentence imposed during the guidelines regime. *Id.* at 127-28 & fig. 4.9.

All of these findings have led the Commission to conclude that "some of the gap may result from sentencing rules that have a disproportionate impact on a particular offender group *but that serve no clear sentencing purpose.*" *Id.* at 131 (emphasis added). The courts of appeals' assumption that "disparities are at their ebb when the Guidelines are followed," *United States v. Boscarino*, 437 F.3d 634, 638 (7th Cir. 2006), is thus contradicted by the Commission's own empirical evidence and statements.

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In sum, the Sentencing Commission, after comprehensive study and in-depth analysis of actual sentencing data, has concluded that "[a]ttention might fruitfully be turned to asking whether [certain guideline] policies are necessary to achieve *any legitimate purpose of*

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[16] *See also* Alschuler, *Disparity*, at 103; Gerald W. Heaney, *The Reality of Guidelines Sentencing: No End to Disparity*, 28 Am. Crim. L. Rev. 161 (1991).

sentencing," USSC Assessment Report at 135, and "the reformed sentencing system has fallen short of th[e] ideal in several respects," *id.* at 143-44, by failing to fully achieve "the goals of sentence reform," *id.* at 144. The Commission's compelling evidence shows that many of the effects of the guidelines are neither deliberate nor in furtherance of any legitimate sentencing purpose, and that these flaws have led to sentences that are greater than necessary to achieve the goals of sentencing, thus contravening the parsimony provision. As a result, sentences under the guidelines as well as rates of imprisonment have increased dramatically from pre-guidelines levels. *Id.* at vi.[17] These facts undermine the basis for the courts of appeals' ill-conceived presumption and slavish adherence to the suggested sentencing ranges.

IV. A DISTRICT COURT MUST STATE ON THE RECORD ITS REASONS FOR THE SENTENCE IMPOSED

Although a detailed discussion of the third question presented is beyond the scope of this brief, NYCDL does believe that in order for the post-*Booker* sentencing system to operate in a fair, just, and individualized manner, and to allow for meaningful appellate reasonableness review, district courts must state, on the record, the reasons for the sentence imposed. Prior to the guidelines, "[j]udges were not required to explain the reasons for their sentences, and the sentences themselves were largely immune from appeal." USSC Assessment Report at xviii. The Sentencing Reform Act and the guidelines were designed to inject transparency into the sentencing system. As the Commission has noted, "appellate courts cannot perform their assigned functions without the cooperation of other participants in the system. Appellate review depends on

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[17] "Between November 1987 and 1992, the average prison terms served by federal felons more than doubled." USSC Assessment Report at vi; *see also id.* ("[F]ederal offenders sentenced in 2002 will spend almost twice as long in prison as did offenders sentenced in 1984.").

clear fact findings and statements of reasons by the sentencing courts to provide a sufficient record for review." *Id.* at 35; *see also* 18 U.S.C. § 3553(c); *United States v. Cunningham*, 429 F.3d 673, 679 (7th Cir. 2005) (Posner, J.) ("[W]henever a district judge is required to make a discretionary ruling that is subject to appellate review, we have to satisfy ourselves, before we can conclude that the judge did not abuse his discretion, that he exercised his discretion, that is, that he considered the factors relevant to that exercise. A rote statement that the judge considered all relevant factors will not always suffice."). The absence of a requirement that district courts explain the reasons for the sentence imposed (like the presumption) increases the incentives for a "busy judge to impose the guidelines sentence and be done with it, without wading into the vague and prolix statutory factors." *Cunningham*, 429 F.3d at 679. This risk "cannot be ignored." *Id.*

CONCLUSION

A proper interpretation of Section 3553(a) and an appreciation of the limitations of the guidelines is necessary for courts to exercise reasoned judgment when "impos[ing] sentences sufficient, but not greater than necessary to comply with the purposes of paragraph (2)." "Although the guidelines were legally complex ... the bottom-line judgments were largely mechanical once the offense level and the criminal history numbers were calculated. ... But now the bottom-line judgments are not mechanical. They must now be more nuanced judgments that reflect both the guidelines analysis and the larger context of the sentencing factors and purposes identified in section 3553." *Jimenez-Beltre*, 440 F.3d at 528 (Lipez, J., dissenting). The nuanced approach mandated by Section 3553(a) "requires courts of appeals to evaluate each sentence *individually* for reasonableness." *Booker*, 543 U.S. at 312 (Scalia, J., dissenting in part). Indeed, as this Court acknowledged in its remedial opinion, because of the *individualized* review required for each *defendant*, reasonableness review perhaps may not provide the same degree of national uniformity for

groups of offenders that Congress originally sought to secure. *Id.* at 263 ("We cannot and do not claim that use of a 'reasonableness' standard will provide the uniformity that Congress originally sought to secure."). If courts comply with the text of Section 3553(a), however, sentencing outcomes will be more reasoned and more consistent than those produced by rigid, unthinking adherence to the guidelines.

There is neither room in the text nor any basis for a presumption that within-guidelines sentences are reasonable applications of Section 3553(a) in light of the Commission's findings. The picture of appellate review that has emerged since *Booker*, as reflected in the NYCDL data, suggests that the courts of appeals are operating in a strongly non-parsimonious fashion. This sends a powerfully discouraging—if not flatly prohibitive—message about the exercise of discretion to district courts. This message has precisely the opposite effect that *Booker* contemplated.

Guidelines sentences should not be presumed reasonable. Instead, "[i]t has been uniform and constant in the federal judicial tradition for the sentencing judge to consider every convicted person as an individual and every case as a unique study in the human failings that sometimes mitigate, sometimes magnify, the crime and the punishment to ensue." *Koon*, 518 U.S. at 113. Section 3553(a) requires nothing less.

Respectfully submitted,

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APPENDIX

SUMMARY OF FINDINGS

Nearly two years ago, this Court held in *United States v. Booker*, 543 U.S. 220 (2005), that requiring judges to impose sentences pursuant to the then-mandatory sentencing guidelines was unconstitutional. To solve this problem, the Court excised the provision making the guidelines mandatory, 18 U.S.C. § 3553(b); deemed the guidelines "effectively advisory"; directed district judges to make sentencing decisions based upon all the factors in Section 3553(a); and instructed the courts of appeals to review sentences for "unreasonableness."

When *Booker* was decided, "no one kn[ew] ... how advisory Guidelines and 'unreasonableness' review w[ould] function in practice." 543 U.S. at 311 (Scalia, J., dissenting in part). Now, however, a body of data revealing how courts of appeals have applied *Booker*'s standard has emerged. *Amicus curiae* New York Council of Defense Lawyers has analyzed this information, conducting a survey of cases from January 1, 2006 through November 16, 2006, in which the courts of appeals engaged in reasonableness review.[1]

The survey was conducted using Westlaw. Two date-restricted searches were used. The first, broader search, was designed to capture all cases that cited this Court's decision in *Booker*. The terms used were: Booker & Reasonab! Unreasonab!. This search returned approximately 2,800 cases. The second search was crafted to capture those cases (mostly unpublished dispositions) in which the courts of appeals applied unreasonableness review, but did not cite *Booker*. The terms used were: Sentenc! /3 Guideline / 20 Reasonab! Unreasonab! (#Not /3 Reasonab!) & Da (Aft 12/31/2005) % Booker. This search yielded approximately 250 cases.

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[1] The starting date was chosen to avoid the need to filter out the large number of early post-*Booker* decisions that did not involve review for reasonableness, but instead addressed issues such as whether a pre-*Booker* sentence should be vacated and remanded for resentencing in light of *Booker*.

Counsel for the NYCDL reviewed the cases and entered relevant information into a database. The categories of information compiled included: (1) case name and citation; (2) type of crime;[2](3) advisory guideline range; (4) sentence;[3] (5) whether the sentence was within, above, or below the advisory range; (6) whether it was the government or the defendant that appealed; (7) whether the sentence was affirmed or reversed; (8) whether the government or the defendant prevailed in the appeal; and (9) if the sentence was vacated, whether the basis was procedural or substantive.

Counsel excluded from the database all cases that included the search terms but did not actually engage in reasonableness review. For example, cases involving appellate review of pre-*Booker* sentences for plain error remands were not included. Likewise, cases in which the court of appeals remanded solely because the advisory guideline range was not calculated properly were excluded. At the conclusion of the review, NYCDL's database included 1,515 cases. The database is included in this appendix for the Court's review.

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The results of NYCDL's analysis of the 1,515 cases in the database are briefly summarized below.

- 154 cases involved sentences above the guidelines that were appealed by the defendants;
- Nearly all of these above-guidelines sentences were affirmed; only 7 were vacated;
- 60 of 71 below-guidelines sentences appealed by the Government were vacated as unreasonable;
- There were also 138 below-guidelines sentences appealed by defendants, and zero were found to be

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[2] Crimes were grouped as follows: D = Drugs; I = Immigration; T = Theft/Fraud offenses; F = Firearms; S = Sex crimes; and O = Other.

[3] The sentence refers to the number of months of imprisonment reflected in the court of appeals' opinion exclusive of any terms of supervised release, home confinement, fines, or other sentencing terms.

unreasonable;

- Of the remaining 1,152 within-guidelines sentences appealed by defendants, 16 sentences were vacated;
- 15 of the reversals were for procedural reasons, almost uniformly that the district court failed to articulate its reasons for the sentence; and
- Only 1 within-guidelines sentence was found to be substantively unreasonable.

NYCDL then broke down these findings by circuit, according to whether the circuit has explicitly held that a sentence imposed within a properly calculated advisory-guidelines range is presumed to be reasonable. The Fourth, Fifth, Sixth, Seventh, Eighth, Tenth, and D.C. Circuits have explicitly adopted this presumption of reasonableness. In these circuits:

- 93 were appeals by the defendant of an above-guidelines sentence;
- 88 of these sentences were affirmed; only 5 were vacated;
- There were 51 below-guidelines sentences that were appealed by the Government;
- Nearly all of these sentences (47) were vacated; and
- Of the remaining 693 within-guidelines sentences appealed by the defendants, only 7 were vacated.

In circuits that have not explicitly adopted a presumption of reasonableness—the First, Second, Third, Ninth, and Eleventh Circuits—the findings are as follows:

- 61 above-guidelines sentences were appealed by the defendants;
- Virtually all of these sentences were affirmed; only 2 were vacated;
- 20 below-guidelines sentences were appealed by the government and 13 were vacated; and
- Of the remaining 459 within-guidelines sentences appealed by the defendants, 9 were vacated.

Mr. Rita's case was appealed from the Fourth Circuit. In that circuit, there were:

- 201 within-guidelines sentences appealed by the defendants;
- All 201 of these sentences were found to be reasonable;
- There were 10 appeals by defendants of above-guidelines sentences;
- Only 1 sentence was vacated;
- The government appealed 9 below-guidelines sentences; and
- All 9 of these below-guidelines sentences were found to be unreasonable.

Mr. Claiborne's case was appealed from the Eighth Circuit. The data from that circuit show the following:

- There were 118 within-guidelines sentences appealed by the defendants;
- Only 2 of these sentences were vacated;
- 1 reversal was based on an inadequate explanation by the district court, and the other remains the only case in which a circuit court has found a within-guidelines sentences to be substantively unreasonable;
- There were 22 appeals by defendants of above-guidelines sentences;
- Nearly all of these sentences were affirmed; only 1 was vacated;
- The government appealed 28 below-guidelines sentences;
- Nearly all of these sentences were reversed; 27 of these below-guidelines sentences were found to be unreasonable; and
- In *United States v. Burns*, 438 F.3d 826 (8th Cir. 2006), a panel of the Eighth Circuit, affirmed a below-guidelines sentence, notwithstanding the government's appeal. The full Eighth Circuit has since vacated the panel decision and reheard the case *en banc*. *See* 2006 U.S. App. LEXIS 12239 (8th Cir. May 18, 2006).

RESULTS FOR CIRCUITS THAT HAVE EXPLICITLY ADOPTED A PRESUMPTION OF REASONABLENESS FOR WITHIN-GUIDELINES SENTENCES

Cir.	Above-guidelines sentences appealed by defendants and vacated	Within-guidelines sentences appealed by defendants and vacated	Below-guidelines sentences appealed by the government and vacated
4	1/10	0/201	9/9
5	1/28	0/86	5/5
6	2/17	1/91	1/2
7	0/8	1/86	4/6
8	1/22	2/118	27/28
10	0/8	3/108	1/1
DC	0/0	0/3	0/0
Total	5/93	7/693	47/51

RESULTS FOR CIRCUITS THAT HAVE NOT EXPLICITLY ADOPTED A PRESUMPTION OF REASONABLENESS FOR WITHIN-GUIDELINES SENTENCES

Cir.	Above-guidelines sentences appealed by defendants and vacated	Within-guidelines sentences appealed by defendants and vacated	Below-guidelines sentences appealed by the government and vacated
1	1/3	0/30	4/4
2	0/6	1/60	2/3
3	0/10	1/71	1/1
9	1/19	6/107	1/3
11	0/23	1/191	5/9
Total	2/61	9/459	13/20

FIRST CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Abad-Reyes, 187 Fed. Appx. 6 (1st Cir. 2006)	I	1-7	24	A	D	A	G	
U.S. v. Scherrer, 444 F.3d 91 (1st Cir. 2006)	T	?-63	96	A	D	A	G	
U.S. v. Zapete-Garcia, 447 F.3d 57 (1st Cir. 2006)	O	0-6	48	A	D	R	D	S
U.S. v. Meran, 463 F.3d 47 (1st Cir. 2006)	D	108-135	75	B	D	A	G	
U.S. v. Griffin, 187 Fed. Appx. 13 (1st Cir. 2006)	D	210-262	198	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. McGuire, 185 Fed. Appx. 15 (1st Cir. 2006)	D	360-life	300	B	D	A	G	
U.S. v. Caraballo, 447 F.3d 26 (1st Cir. 2006)	D	151-188	108	B	D	A	G	
U.S. v. Thurston, 456 F.3d 211 (1st Cir. 2006)	T	63-78 (60 stat max)	3	B	G	R	G	S
U.S. v. Smith, 445 F.3d 1 (1st Cir. 2006)	D	100-125	46	B	G	R	G	S
U.S. v. Pho, 433 F.3d 53 (1st Cir. 2006)	D	87-108	64	B	G	R	G	S
U.S. v. Lewis, 433 F.3d 53 (1st Cir. 2006)	D	235-293	188	B	G	R	G	S
U.S. v. Fanfan, 2006 WL 3217712 (1st Cir. 2006)	D		210	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hernandez, 2006 WL 3041972 (1st Cir. 2006)	F	180 (minim um)	188	W	D	A	G	
U.S. v. Jahagirdar, 2006 WL 2988661 (1st Cir. 2006)	O		87	W	D	A	G	
U.S. v. Anziani, 2006 WL 2924936 (1st Cir. 2006)	D		121	W	D	A	G	
U.S. v. Santos-Martinez, 2006 WL 2709460 (1st Cir. 2006)	I		16	W	D	A	G	
U.S. v. Jones, 2006 WL 2673296 (1st Cir. 2006)	D	108-135	108	W	D	A	G	
U.S. v. Rodriguez,2006 WL2673310(1st Cir. 2006)	D		188	W	D	A	G	
U.S. v. Segalla, 2006 WL 2555913 (1st Cir. 2006)	F		120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Quirindongo-Martinez, 2006 WL 2439968 (1st Cir. 2006)	O	27-33	33	W	D	A	G	
U.S. v. Peralta, 457 F.3d 169 (1st Cir. 2006)	D		135	W	D	A	G	
U.S. v. Burks, 2006 WL 2130106 (1st Cir. 2006)	D	120-?	120	W	D	A	G	
U.S. v. Morales-Rodriguez, 2006 WL 2034694 (1st Cir. 2006)	T		121	W	D	A	G	
U.S. v. Trinidad-Rodriguez, 2006 WL 3233767 (1st Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Vazquez-Mieses, 2006 WL 2742550 (1st Cir. 2006)	I	46-57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Washington, 187 Fed. Appx. 3 (1st Cir. 2006)	D	168-210	168	W	D	A	G	
U.S. v. Feliz, 453 F.3d 33 (1st Cir. 2006)	D	97-121	97	W	D	A	G	
U.S. v. Wilson, 185 Fed. Appx. 6 (1st Cir. 2006)	D		320	W	D	A	G	
U.S. v. Brown, 450 F.3d 76 (1st Cir. 2006)	D	70-?	70	W	D	A	G	
U.S. v. Alvarez-Enciso, 181 Fed. Appx. 8 (1st Cir. 2006)	I	24-30	24	W	D	A	G	
U.S. v. Navedo-Concepcion, 450 F.3d 54 (1st Cir. 2006)	D	121-151	151	W	D	A	G	
U.S. v. Soto-Cruz, 449 F.3d 258 (1st Cir. 2006)	T	121-151	144	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Castro-Polanco, 182 Fed. Appx. 1 (1st Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Dixon, 449 F.3d 194 (1st Cir. 2006)	O	92-115	115	W	D	A	G	
U.S. v. Rivera, 448 F.3d 82 (1st Cir. 2006)	D, F	188-235	188	W	D	A	G	
U.S. v. Sagendorf, 445 F.3d 515 (1st Cir. 2006)	O	41-?	41	W	D	A	G	
U.S. v. Alli, 444 F.3d 34 (1st Cir. 2006)	T	18-24	21	W	D	A	G	
U.S. v. Saez, 444 F.3d 15 (1st Cir. 2006)	D	130-?	130	W	D	A	G	
U.S. v. Jiminez-Beltre, 440 F.3d 514 (1st Cir. 2006)	I	46-57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Montero-Diaz, 173 Fed. Appx. 7 (1st Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Turbides-Leonardo, --F.3d--, 2006 WL 3290937 (1st Cir. 2006)	D		48	W	D	A	G	

SECOND CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Pereira, 2006 WL 2925642 (2d Cir. 2006)	I	41-51	62	A	D	A	G	
U.S. v. Nurse, 2006 WL 2382919 (2d Cir. 2006)	T	7-13	24	A	D	A	G	
U.S. v. Singletary, 458 F.3d 72 (2d Cir. 2006)	D	27-33	42	A	D	A	G	
U.S. v. Fairclough, 439 F.3d 76 (2d Cir. 2006)	F	21-27	48	A	D	A	G	
U.S. v. Pettus, 2006 WL 328267 (2d Cir. 2006)	O	4-10	18	A	D	A	G	
U.S. v. Orlandez-Gamboa, 2006 WL 1668055 (2d Cir. 2006)	D	325-405	480	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Santiago, 2006 WL 3147353 (2d Cir. 2006)	S	70-87	63	B	D	A	G	
U.S. v. Giovanelli, 464 F.3d 346 (2d Cir. 2006)	O	121-151	90	B	D	A	G	
U.S. v. Mejia, 461 F.3d 158 (2d Cir. 2006)	I	46-57	37	B	D	A	G	
U.S. v. Ebbers, 458 F.3d 110 (2d Cir. 2006)	F	30 years to life	25 years	B	D	A	G	
U.S. v. Kane, 452 F.3d 140 (2d Cir. 2006)	T	30-37	24	B	D	A	G	
U.S. v. Florez, 447 F.3d 145 (2d Cir. 2006)	D	262-327	210	B	D	A	G	
U.S. v. McFarlane, 2006 WL 2521649 (2d Cir. 2006)	D		41	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Earls, 2006 WL 3310314 (2d Cir. 2006)	F		125	B	D	A	G	
U.S. v. Jones, 460 F.3d 191 (2d Cir. 2006)	D	30-37	15	B	G	A	D	
U.S. v. Castillo, 460 F.3d 337 (2d Cir. 2006)	D	135-168	87	B	G	R	G	S
U.S. v. Rattoballi, 452 F.3d 127 (2d Cir. 2006)	T	27-33	12	B	G	R	G	S
U.S. v. Maflahi, 2006 WL 2672085 (2d Cir. 2006)	O	210-262	60	Stat max	D	A	G	
U.S. v. Riley, 452 F.3d 160 (2d Cir. 2006)	F	188-235	120	Stat max	D	A	G	
U.S. v. Stinson, 2006 WL 2711988 (2d Cir. 2006)	F		51	W	D	A	G	
U.S. v. Morgan, 2006 WL 3026148 (2d Cir. 2006)	I		74	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rivera, 2006 WL 2711988 (2d Cir. 2006)	D	70-87	72	W	D	A	G	
U.S. v. Santos, 2006 WL 2564390 (2d Cir. 2006)	D		70	W	D	A	G	
U.S. v. Velasquez, 2006 WL 2990234 (2d Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Park, 461 F.3d 245 (2d Cir. 2006)	D		151	W	D	A	G	
U.S. v. Bliss, 2006 WL 1975433 (2d Cir. 2006)	D		40 years	W	D	A	G	
U.S. v. Ramirez, 454 F.3d 380 (2d Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Ortega, 2006 WL 1843520 (2d Cir. 2006)	F		57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Casteneda, 2006 WL 1737827 (2d Cir. 2006)	D			W	D	A	G	
U.S. v. Bello-Mosqueda, 2006 WL 1766703 (2d Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Delarosa, 2006 WL 1763878 (2d Cir.2006)	T		45	W	D	A	G	
U.S. v. Jimenez, 451 F.3d 97 (2d Cir. 2006)	D	57-71	60	W	D	A	G	
U.S. v. Macias, 2006 WL 1594003 (2d Cir. 2006)	D		108	W	D	A	G	
U.S. v. Elliot, 2006 WL 1582689 (2d Cir. 2006)	I		46	W	D	A	G	
U.S. v. Forquet, 2006 WL 1582690 (2d Cir. 2006)	D		151	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Wu, 2006 WL 1423474 (2d Cir. 2006)	O		6	W	D	A	G	
U.S. v. Villanova, 2006 WL 1423432 (2d Cir. 2006)	I		77	W	D	A	G	
U.S. v. Tavera, 2006 WL 1426824 (2d Cir. 2006)	D		57	W	D	A	G	
U.S. v. Martinez, 2006 WL 1359946 (2d Cir. 2006)	D		135	W	D	A	G	
U.S. v. Caballero-Espinal, 2006 WL 1070941 (2d Cir. 2006)	I		46	W	D	A	G	
U.S. v. Matrulli, 2006 WL 1049108 (2d Cir. 2006)	T	33-41	33	W	D	A	G	
U.S. v. McDaniel, 2006 WL 917208 (2d Cir. 2006)	F		72	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Nicholas, 2006 WL 897860 (2d Cir. 2006)	T		117	W	D	A	G	
U.S. v. Fernandez, 443 F.3d 19 (2d Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Tejada-Hilliano, 2006 WL 897767 (2d Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Victoria, 2006 WL 760136 (2d Cir. 2006)	D		165	W	D	A	G	
U.S. v. Folkes, 2006 WL 755955 (2d Cir. 2006)	D		55	W	D	A	G	
U.S. v. Beckett, 2006 WL 544487 (2d Cir. 2006)	F		70	W	D	A	G	
U.S. v. Smith, 2006 WL 522082 (2d Cir. 2006)	I		57	W	D	A	G	
U.S. v. Perez, 2006 WL 482557 (2d Cir. 2006)	D		292	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Harris, 2006 WL 374205 (2d Cir. 2006)	T		63	W	D	A	G	
U.S. v. Munroe, 2006 WL 354640 (2d Cir. 2006)	I	77-96	89	W	D	A	G	
U.S. v. Collins, 2006 WL 231666 (2d Cir. 2006)	D		151	W	D	A	G	
U.S. v. Claudillo-Marquez, 2006 WL 224182 (2d Cir. 2006)	I		77	W	D	A	G	
U.S. v. Emence, 2006 WL 189999 (2d Cir. 2006)	I	77-96	77	W	D	A	G	
U.S. v. Nash, 2006 WL 3147563 (2d Cir. 2006)	D		140	W	D	A	G	
U.S. v. Wilson, 2006 WL 3026162 (2d Cir. 2006)	D		200	W	D	A	G	
U.S. v. Khan, 2006 WL 268668 (2d. Cir. 2006)	I			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Marshall, 2006 WL 1788492 (2d Cir. 2006)	I		60	W	D	A	G	
U.S. v. Sow, 2006 WL 1318798 (2d Cir. 2006)	O	41-51	51	W	D	A	G	
U.S. v. Celaya-Romo, 2006 WL 1236329 (2d Cir. 2006)	D		168	W	D	A	G	
U.S. v. Castro, 2006 WL 958290 (2d Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Agnew, 2006 WL 707482 (2d Cir. 2006)	T		21	W	D	A	G	
U.S. v. Vargas, 2006 WL 700928 (2d Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Rajotte, 2006 WL 616314 (2d Cir. 2006)	D		135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Navarro, 2006 WL 3263834 (2d Cir. 2006)	T	57-71	57	W	D	A	G	
U.S. v. Dorney, 2006 WL 2919021 (2d Cir. 2006)	I		89	W	D	A	G	
U.S. v. Ellis, 2006 WL 2990202 (2d Cir. 2006)	I		46	W	D	A	G	
U.S. v. Wusebio, 2006 WL 2973010 (2d Cir. 2006)	I			W	D	A	G	
U.S. v. Watson, 2006 WL 266527 (2d Cir. 2006)	F, D		130	W	D	A	G	
U.S. v. Gamble, 2006 WL 3253087 (2d Cir. 2006)	D		216	W	D	A	G	
U.S. v. Fernandez, 2006 WL 3298426 (2d Cir. 2006)	I		46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ventura-Mejia, 2006 WL 3308205 (2d Cir. 2006)	I			W	D	A	G	
U.S. v. Drayton, 2006 WL 3307754 (2d Cir. 2006)	I	57-71	71	W	D	A	G	
U.S. v. Meija, 2006 WL 3326757 (2d Cir. 2006)	D		292	W	D	A	G	
U.S. v. Capozzi, 2006 WL 3307631 (2d Cir. 2006)	T		37	W	D	A	G	
U.S. v. Toohey, 448 F.3d 542 (2d Cir. 2006)	O	15-21	15	W	D	R	D	P

THIRD CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Brown, 2006 WL 3090333 (3d Cir. 2006)	T	70-87	90	A	D	A	G	
U.S. v. King, 2006 WL 2189683 (3d Cir. 2006)	S	27-33	40	A	D	A	G	
U.S. v. Powell, 2006 WL 2135049 (3d Cir. 2006)	T	41-51	56	A	D	A	G	
U.S. v. King, 454 F.3d 187 (3d Cir. 2006)	T	30-37	72	A	D	A	G	
U.S. v. Schweitzer, 454 F.3d 197 (3d Cir. 2006)	T	46-57	84	A	D	A	G	
U.S. v. Sparks, 184 Fed. Appx. 185 (3d Cir. 2006)	O	70-87	120	A	D	A	G	
U.S. v. Rose, 176 Fed. Appx. 295 (3d Cir. 2006)	O	4-10	24	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Burke, 176 Fed. Appx. 304 (3d Cir. 2006)	O	8-14	17	A	D	A	G	
U.S. v. Robinson, 174 Fed. Appx. 72 (3d Cir. 2006)	O	24-30	60	A	D	A	G	
U.S. v. Cropper, 168 Fed. Appx. 503 (3d Cir. 2006)	F	51-63	72	A	D	A	G	
Nabried v. U.S., 2006 WL 2474026 (3d Cir. 2006)	D	151-188	110	B	D	A	G	
U.S. v. Amos, 2006 WL 2384927 (3d Cir. 2006)	D	188-235	140	B	D	A	G	
U.S. v. Flores, 454 F.3d 149 (3d Cir. 2006)	T	70-87	32	B	D	A	G	
U.S. v. Gordon, 185 Fed. Appx. 192 (3d Cir. 2006)	D	262-327	210	B	D	A	G	
U.S. v. Brantley, 184 Fed. Appx. 258 (3d Cir. 2006)	T	151-188	144	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Baskerville, 181 Fed. Appx. 199 (3d Cir. 2006)	O	130-?	100	B	D	A	G	
U.S. v. Seaton, 178 Fed. Appx. 172 (3d Cir. 2006)	D	322-387	240	B	D	A	G	
U.S. v. Tyson, 176 Fed. Appx. 255 (3d Cir. 2006)	D	292-365	200	B	D	A	G	
U.S. v. Cepeda, 181 Fed. Appx. 177 (3d Cir. 2006)	D	57-71	45	B	D	A	G	
U.S. v. Walker, 172 Fed. Appx. 460 (3d Cir. 2006)	D		120	B	D	A	G	
U.S. v. Sargeant, 171 Fed. Appx. 954 (3d Cir. 2006)	F	210-262	120	B	D	A	G	
U.S. v. Giaguinto, 441 F.3d 195 (3d Cir. 2006)	D	30-?	27	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ricciotti, 170 Fed. Appx. 800 (3d Cir. 2006)	D	30-?	23	B	D	A	G	
U.S. v. Nunez, 173 Fed. Appx. 128 (3d Cir. 2006)	D	235-293	216	B	D	A	G	
U.S. v. Jackson, 169 Fed. Appx. 120 (3d Cir. 2006)	O	10-16	6	B	D	A	G	
U.S. v. Wilson, 2006 WL 3090125 (3d Cir. 2006)	T	84-105	72	B	D	A	G	
U.S. v. Millard, 184 Fed. Appx. 226 (3d Cir. 2006)	D	151-188	130	B	D	A	G	
U.S. v. Miles, 184 Fed. Appx. 222 (3d Cir. 2006)	D	100-120	87	B	D	A	G	
U.S. v. Hyung Pil Baek, 181 Fed. Appx. 165 (3d Cir. 2006)	T	70-87	24	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Benjamin, 2006 WL 3227881 (3d Cir. 2006)	T		39	W	D	A	G	
U.S. v. Hertzog, 186 Fed. Appx. 314 (3d Cir. 2006)	F		70	W	D	A	G	
U.S. v. Armstead, 185 Fed. Appx. 211 (3d Cir. 2006)	D		120	W	D	A	G	
U.S. v. Barron, 181 Fed. Appx. 269 (3d Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Skiba, 178 Fed. Appx. 159 (3d Cir. 2006)	O		240	W	D	A	G	
U.S. v. Thomas, 174 Fed. Appx. 1 (3d Cir. 2006)	I	77-96	77	W	D	A	G	
U.S. v. Jackson, 2006 WL 3247919 (3d Cir. 2006)	O	37-46	37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Charles, ---F.3d---, 2006 WL 3231396 (3d Cir. 2006)	O	37-46	46	W	D	A	G	
U.S. v. Cooley, 2006 WL 3227764 (3d Cir. 2006)	D	?-Life	Life	W	D	A	G	
U.S. v. Dees, ---F.3d---, 2006 WL 3209989 (3d Cir. 2006)	T	24-72	72	W	D	A	G	
U.S. v. Paz, 2006 WL 3201104 (3d Cir. 2006)	T			W	D	A	G	
U.S. v. Fowers, 2006 WL 3147204 (3d Cir. 2006)	S	78-97	85	W	D	A	G	
U.S. v. Gavin, 2006 WL 3079013 (3d Cir. 2006)	D	?-480	125	W	D	A	G	
U.S. v. Lyons, 2006 WL 3057558 (3d Cir. 2006)	D	70-87	70	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Tirado, 2006 WL 3024701 (3d Cir. 2006)	F	100-120	120	W	D	A	G	
U.S. v. Rodriguez-Sanchez, 2006 WL 2882078 (3d Cir. 2006)	D	?-Life	250	W	D	A	G	
U.S. v. Nesgoda, 2006 WL 2871273 (3d Cir. 2006)	O		120	W	D	A	G	
U.S. v. Neary, 2006 WL 2871275 (3d Cir. 2006)	T	151-188	170	W	D	A	G	
U.S. v. Henry, 2006 WL 2849651 (3d Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Samuelsen, 2006 WL 2826730 (3d Cir. 2006)	T	37-51	37	W	D	A	G	
U.S. v. Grasso, 2006 WL 2726500 (3d Cir. 2006)	T		107	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Outram, 2006 WL 2673288 (3d Cir. 2006)	I		57	W	D	A	G	
U.S. v. Parker, 462 F.3d 273 (3d Cir. 2006)	D	360-Life	349 (11 credit for time served)	W	D	A	G	
U.S. v. Hodge, 2006 WL 2400946 (3d Cir. 2006)	D	151-188	166	W	D	A	G	
U.S. v. Muhammad, 2006 WL 2189798 (3d Cir. 2006)	F	110-137	120	W	D	A	G	
U.S. v. Burtula, 2006 WL 2167586 (3d Cir. 2006)	T	37-46	37	W	D	A	G	
U.S. v. Purdie, 2006 WL 2092446 (3d Cir. 2006)	T	37-46	37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. McIntyre, 186 Fed. Appx. 328 (3d Cir. 2006)	T	57-71	63	W	D	A	G	
U.S. v. Veneziale, 2006 WL 2076156 (3d Cir. 2006)	O	108-135	120	W	D	A	G	
U.S. v. Felix, 2006 WL 2051677 (3d Cir. 2006)	D		60	W	D	A	G	
U.S. v. Severino, 454 F.3d 206 (3d Cir. 2006)	D	63-78	63	W	D	A	G	
U.S. v. Mornan, 186 Fed. Appx. 192 (3d Cir. 2006)	T	97-121	120	W	D	A	G	
U.S. v. Sanders, 185 Fed. Appx. 176 (3d Cir. 2006)	T		183	W	D	A	G	
U.S. v. Taylor, 184 Fed. Appx. 146 (3d Cir. 2006)	D		335	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Newman, 186 Fed. Appx. 264 (3d Cir. 2006)		235-293	293	W	D	A	G	
U.S. v. Marshall, 186 Fed. Appx. 246 (3d Cir. 2006)	D	151-188	168	W	D	A	G	
U.S. v. Shusterman, 184 Fed. Appx. 224 (3d Cir. 2006)	T	51-63	51	W	D	A	G	
U.S. v. Jimenez-Calderon, 183 Fed. Appx. 274 (3d Cir. 2006)	S		210	W	D	A	G	
U.S. v. Long, 183 Fed. Appx. 182 (3d Cir. 2006)	T	18-24	18	W	D	A	G	
U.S. v. Briscoe-Bey, 182 Fed. Appx. 68 (3d Cir. 2006)	D	151-188	188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Bonilla Velasquez, 182 Fed. Appx. 120 (3d Cir. 2006)	I	77-96	85	W	D	A	G	
U.S. v. Clark, 182 Fed. Appx. 117 (3d Cir. 2006)	D	92-96	92	W	D	A	G	
U.S. v. Festus, 181 Fed. Appx. 147 (3d Cir. 2006)	O		105	W	D	A	G	
U.S. v. Kosek, 183 Fed. Appx. 174 (3d Cir. 2006)	F	70-87	86	W	D	A	G	
U.S. v. Eiswerth, 181 Fed. Appx. 175 (3d Cir. 2006)	D	46-57	46	W	D	A	G	
U.S. v. Efigenio, 183 Fed. Appx. 165 (3d Cir. 2006)	I	41-50	41	W	D	A	G	
U.S. v. Jarrett, 181 Fed. Appx. 233 (3d Cir. 2006)	F	57-71	57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Able, 182 Fed. Appx. 77 (3d Cir. 2006)	I	18-24	18	W	D	A	G	
U.S. v. Thomas, 181 Fed. Appx. 188 (3d Cir. 2006)	D	46-57	46	W	D	A	G	
U.S. v. Braun, 180 Fed. Appx. 351 (3d Cir. 2006)	T	18-24	18	W	D	A	G	
U.S. v. Rene, 180 Fed. Appx. 339 (3d Cir. 2006)	F	51-63	57	W	D	A	G	
U.S. v. Carroll, 179 Fed. Appx. 128 (3d Cir. 2006)	S	140-175	175	W	D	A	G	
U.S. v. Stewart, 179 Fed. Appx. 814 (3d Cir. 2006)	D	360-Life	Life	W	D	A	G	
U.S. v. Kossak, 178 Fed. Appx. 183 (3d Cir. 2006)	T	57-71	60	W	D	A	G	
U.S. v. Pena, 177 Fed. Appx. 257 (3d Cir. 2006)	D	57-71	60	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Scott, 178 Fed. Appx. 140 (3d Cir. 2006)	D	108-135	108	W	D	A	G	
U.S. v. Gray, 176 Fed. Appx. 315 (3d Cir. 2006)	D	97-121	97	W	D	A	G	
U.S. v. Rackley, 175 Fed. Appx. 564 (3d Cir. 2006)	O	78-97	90	W	D	A	G	
U.S. v. McNeal, 175 Fed. Appx. 546 (3d Cir. 2006)	F	18-24	18	W	D	A	G	
U.S. v. Reed, 173 Fed. Appx. 184 (3d Cir. 2006)	F	63-78	78	W	D	A	G	
U.S. v. Gomez-Fonseca, 171 Fed. Appx. 957 (3d Cir. 2006)	I	77-96	77	W	D	A	G	
U.S. v. Boyd, 173 Fed. Appx. 139 (3d Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Veshio, 174 Fed. Appx. 63 (3d Cir. 2006)	T	151-188	170	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Dair, 174 Fed. Appx. 68 (3d Cir. 2006)	D	324-405	325	W	D	A	G	
U.S. v. Weaver, 175 Fed. Appx. 506 (3d Cir. 2006)	O	30-37	36	W	D	A	G	
U.S. v. Reyes, 169 Fed. Appx. 115 (3d Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Knighton, 171 Fed. Appx. 939 (3d Cir. 2006)	T	70-87	70	W	D	A	G	
U.S. v. Cooper, 437 F.3d 324 (3d Cir. 2006)	D	84-105	105	W	D	A	G	
U.S. v. Riddle, 174 Fed. Appx. 662 (3d Cir. 2006)	D	41-51	42	W	D	A	G	
U.S. v. Gunter, 462 F.3d 237 (3d Cir. 2006)	D	295-353	295	W	D	R	D	P
U.S. v. Webb, 2006 WL 2974124 (3d Cir. 2006)	F			W	D	A	G	

FOURTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Carpenter, 2006 WL 2986548 (4th Cir. 2006)	F	15-21	30	A	D	A	G	
U.S. v. Robinson, 2006 WL 2794398 (4th Cir. 2006)	O	8-14	24	A	D	A	G	
U.S. v. Smiley, 2006 WL 2347625 (4th Cir. 2006)	T	84-105	120	A	D	A	G	
U.S. v. Smith, 2006 WL 2347524 (4th Cir. 2006)	D		60	A	D	A	G	
U.S. v. Crudup, 461 F.3d 433 (4th Cir. 2006)	O	5-11	36	A	D	A	G	
U.S. v. Spain, 2006 WL 1627248 (4th Cir. 2006)	O		61	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hall, 2006 WL 1307881 (4th Cir. 2006)	T	4-10	20	A	D	A	G	
U.S. v. Betanzos-Flores, 2006 WL 392068 (4th Cir. 2006)	I	21-27	30	A	D	A	G	
U.S. v. Ferguson, 2006 WL 786817 (4th Cir. 2006)	D		765	A	D	A	G	
U.S. v. Davenport, 445 F.3d 366 (4th Cir. 2006)	T	30-37	120	A	D	R	D	S
U.S. v. Canady, 2006 WL 2686625 (4th Cir. 2006)	D		315	B	D	A	G	
U.S. v. Canady, 2006 WL 2688869 (4th Cir. 2006)	D		248	B	D	A	G	
U.S. v. Canady, 2006 WL 2620153 (4th Cir. 2006)	D, F		200	B	D	A	G	
U.S. v. Marcum, 2006 WL 2591917 (4th Cir. 2006)	T	63-78	60	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Basurto, 2006 WL 2520317 (4th Cir. 2006)	D		180	B	D	A	G	
U.S. v. Bonnie, 2006 WL 2492161 (4th Cir. 2006)	D			B	D	A	G	
U.S. v. McLean, 2006 WL 2140033 (4th Cir. 2006) (defendant D. Zimmerman)	T	135-?	120	B	D	A	G	
U.S. v. Davis, 2006 WL 2076447 (4th Cir. 2006)	D	210-262	188	B	D	A	G	
U.S. v. Guffey, 2006 WL 1828012 (4th Cir. 2006)	S	121-151	96	B	D	A	G	
U.S. v. Katz, 2006 WL 1636740 (4th Cir. 2006)	T	97-121	72	B	D	A	G	
U.S. v. Wishon, 2006 WL 1443698 (4th Cir. 2006)	F	121-150	100	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thompson, 2006 WL 1233245 (4th Cir. 2006)	T	24-30	15	B	D	A	G	
U.S. v. Woods, 2006 WL 538030 (4th Cir. 2006)	O		320	B	D	A	G	
U.S. v. Santos, 2006 WL 476620 (4th Cir. 2006)	F		168	B	D	A	G	
U.S. v. Hampton, 441 F.3d 284 (4th Cir. 2006)	F	57-71	36	B	G	R	G	S
U.S. v. Curry, 461 F.3d 452 (4th Cir. 2006)	T	41-51	12	B	G	R	G	S
U.S. v. Perez-Pena, 453 F.3d 236 (4th Cir. 2006)	I	37-46	24	B	G	R	G	S
U.S. v. Kimbrough, 2006 WL 1233525 (4th Cir. 2006)	D	168-210	120	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Eura, 440 F.3d 625 (4th Cir. 2006)	D	78-97	60	B	G	R	G	S
U.S. v. Clark, 434 F.3d 684 (4th Cir. 2006)	D	46-57	8	B	G	R	G	S
U.S. v. Williams, 2006 WL 3026266 (4th Cir. 2006)	D	97-121	6	B	G	R	D	S
U.S. v. Khan, 461 F.3d 477 (4th Cir. 2006)	O	97-121	52	B	G	R	G	S
U.S. v. Moreland, 437 F.3d 424 (4th Cir. 2006)	D	360-life	120	B	G	R	G	S
U.S. v. Shore, 2006 WL 241368 (4th Cir. 2006)	F	130-162	120	stat max	D	A	G	
U.S. v. McLean, 2006 WL 2140033 (4th Cir. 2006) (defendant P. Zimmerman)	T	168-?	132	stat max	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Williams, 444 F.3d 250 (4th Cir. 2006)	T	77-96	60	stat max	D	A	G	
U.S. v. Deberry, 2006 WL 871281 (4th Cir. 2006)	F		120	stat max	D	A	G	
U.S. v. Dowtin, 2006 WL 655079 (4th Cir. 2006)	F		44	W	D	A	G	
U.S. v. Esposito, 2006 WL 3327804 (4th Cir. 2006)	T			W	D	A	G	
U.S. v. Owens, 2006 WL 3327588 (4th Cir. 2006)	D	262-327	300	W	D	A	G	
U.S. v. Dumas, 2006 WL 3311504 (4th Cir. 2006)	O		15	W	D	A	G	
U.S. v. Perez-Mendez, 2006 WL 3313359 (4th Cir. 2006)	D		168	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Davis, 2006 WL 3267349 (4th Cir. 2006)	D		108	W	D	A	G	
U.S. v. Stanback, 2006 WL 3253931 (4th Cir. 2006)	D		420	W	D	A	G	
U.S. v. Phillips, 2006 WL 3207969 (4th Cir. 2006)	F		24	W	D	A	G	
U.S. v. Phelps, 2006 WL 3147514 (4th Cir. 2006)	D, F	262-327	262	W	D	A	G	
U.S. v. Lutz, 2006 WL 3077440 (4th Cir. 2006)	S		65	W	D	A	G	
U.S. v. Wimbush, 2006 WL 3055494 (4th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Hill, 2006 WL 3069471 (4th Cir. 2006)	D		188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Shields, 2006 WL 3026305 (4th Cir. 2006)	F	110-120	120	W	D	A	G	
U.S. v. Brown, 2006 WL 3025749 (4th Cir. 2006)	O, F		300	W	D	A	G	
U.S. v. Minter, 2006 WL 3018109 (4th Cir. 2006)	D		41	W	D	A	G	
U.S. v. Brown, 2006 WL 3018104 (4th Cir. 2006)	F			W	D	A	G	
U.S. v. Barajas, 2006 WL 2974323 (4th Cir. 2006)	D		84	W	D	A	G	
U.S. v. Rutland, 2006 WL 2974333 (4th Cir. 2006)	D	235-298	235	W	D	A	G	
U.S. v. Naranjo, 2006 WL 2953366 (4th Cir. 2006)	I	57-71	62	W	D	A	G	
U.S. v. Plaismond, 2006 WL 2953400 (4th Cir. 2006)	D	168-210	168	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Anthony, 2006 WL 2930145 (4th Cir. 2006)	D		324	W	D	A	G	
U.S. v. Anthony, 2006 WL 2930145 (4th Cir. 2006) (defendant Scott)	D		360	W	D	A	G	
U.S. v. Carter, 2006 WL 2930143 (4th Cir. 2006)	F		78	W	D	A	G	
U.S. v. Lee, 2006 WL 2853975 (4th Cir. 2006)	F	57-71	71	W	D	A	G	
U.S. v. Kafka-Banderas, 2006 WL 2846458 (4th Cir. 2006)	I		77	W	D	A	G	
U.S. v. Plumber, 2006 WL 2846453 (4th Cir. 2006)	T	27-33	31	W	D	A	G	
U.S. v. Haynes, 2006 WL 2817656 (4th Cir. 2006)	D	188-235	188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Malloy, 2006 WL 2817657 (4th Cir. 2006)	F		188	W	D	A	G	
U.S. v. Luck, 2006 WL 2711929 (4th Cir. 2006)	D		360	W	D	A	G	
U.S. v. Johnson, 2006 WL 2711976 (4th Cir. 2006)	F		161	W	D	A	G	
U.S. v. Dominguez-Villegas, 2006 WL 2668682 (4th Cir. 2006)	D		151	W	D	A	G	
U.S. v. Garcia-Arzate, 2006 WL 2640242 (4th Cir. 2006)	D		156	W	D	A	G	
U.S. v. Stroupe, 2006 WL 2620209 (4th Cir. 2006)	T		57	W	D	A	G	
U.S. v. Patterson, 2006 WL 2620174 (4th Cir. 2006)	D		262	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Andaya-Penalosa, 2006 WL 2562322 (4th Cir. 2006)	D		life	W	D	A	G	
U.S. v. Connor, 2006 WL 2547960 (4th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Little, 2006 WL 2527670 (4th Cir. 2006)	F		72	W	D	A	G	
U.S. v. Moss, 2006 WL 2520299 (4th Cir. 2006)	D		151	W	D	A	G	
U.S. v. Sanders, 2006 WL 2520308 (4th Cir. 2006)	D		262	W	D	A	G	
U.S. v. Myrick, 2006 WL 2465326 (4th Cir. 2006)	D	100-125	100	W	D	A	G	
U.S. v. Plata-Oceguera, 2006 WL 2460860 (4th Cir. 2006)	I		54	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Frost, 2006 WL 2433961 (4th Cir. 2006)	D, F	235-293	235	W	D	A	G	
U.S. v. Vasquez, 2006 WL 2460750 (4th Cir. 2006)	D	292-365	292	W	D	A	G	
U.S. v. Whitlock, 2006 WL 2433985 (4th Cir. 2006)	O	7-13	13	W	D	A	G	
U.S. v. Epperson, 2006 WL 2457154 (4th Cir. 2006)	F		33	W	D	A	G	
U.S. v. Pankey, 2006 WL 2457166 (4th Cir. 2006)	D	57-71	57	W	D	A	G	
U.S. v. Craig, 2006 WL 2347648 (4th Cir. 2006)	D	84-105	84	W	D	A	G	
U.S. v. Williams, 2006 WL 2347518 (4th Cir. 2006)	D	78-97	97	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Scott, 2006 WL 2335547 (4th Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Baker, 2006 WL 2277730 (4th Cir. 2006)	F	110-120	110	W	D	A	G	
U.S. v. Battles, 2006 WL 2141222 (4th Cir. 2006)	T	97-121	97	W	D	A	G	
U.S. v. McLean, 2006 WL 2140033 (4th Cir. 2006)	T	235-293	252	W	D	A	G	
U.S. v. Gibbs, 2006 WL 2142076 (4th Cir. 2006)	T			W	D	A	G	
U.S. v. Fuller, 2006 WL 2092537 (4th Cir. 2006)	T, F		84/60	W	D	A	G	
U.S. v. Noe, 2006 WL 2076444 (4th Cir. 2006)	T	78-97	78	W	D	A	G	
U.S. v. Roussos, 2006 WL 2076453 (4th Cir. 2006)	D		360	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Oglesby, 2006 WL 2076453 (4th Cir. 2006)	D		235	W	D	A	G	
U.S. v. McDonald, 2006 WL 2076451 (4th Cir. 2006)	D		235	W	D	A	G	
U.S. v. Hayward, 2006 WL 2052073 (4th Cir. 2006)	F		38	W	D	A	G	
U.S. v. King, 2006 WL 2044878 (4th Cir. 2006)	T	41-51	41	W	D	A	G	
U.S. v. Billingsley, 2006 WL 2044850 (4th Cir. 2006)	D		324	W	D	A	G	
U.S. v. Price, 2006 WL 2044850 (4th Cir. 2006)	D		262	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Overstreet, 2006 WL 2010850 (4th Cir. 2006)	F		63	W	D	A	G	
U.S. v. Shipman, 2006 WL 2010843 (4th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Dublin, 2006 WL 1956414 (4th Cir. 2006)	D	life	life	W	D	A	G	
U.S. v. Brooks, 2006 WL 1971628 (4th Cir. 2006)	F		87	W	D	A	G	
U.S. v. Louis, 2006 WL 1971622 (4th Cir. 2006)	D		108	W	D	A	G	
U.S. v. Hailey, 2006 WL 1920017 (4th Cir. 2006)	F	180-210	190	W	D	A	G	
U.S. v. Statts, 2006 WL 1918956 (4th Cir. 2006)	D, F	84-105	84	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Daniels, 2006 WL 1888823 (4th Cir. 2006)	D, T		360	W	D	A	G	
U.S. v. Dailey, 2006 WL 1888880 (4th Cir. 2006)	D, F		78	W	D	A	G	
U.S. v. Discua, 2006 WL 1888828 (4th Cir. 2006)	T	135-168	151	W	D	A	G	
U.S. v. Shull, 2006 WL 1880194 (4th Cir. 2006)	T	15-21	21	W	D	A	G	
U.S. v. Sehen, 2006 WL 1867372 (4th Cir. 2006)	D		121	W	D	A	G	
U.S. v. Marrs, 2006 WL 1868493 (4th Cir. 2006)	D		41	W	D	A	G	
U.S. v. Gordy, 2006 WL 1877212 (4th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Goodline, 2006 WL 1877214 (4th Cir. 2006)	F	77-96	92	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thomas, 2006 WL 1817100 (4th Cir. 2006)	D	108-135	108	W	D	A	G	
U.S. v. Washington, 2006 WL 1819026 (4th Cir. 2006)	F	100-125	100	W	D	A	G	
U.S. v. Ollivierre, 2006 WL 1792739 (4th Cir. 2006)	D	210-262	210	W	D	A	G	
U.S. v. Thomas, 2006 WL 1835942 (4th Cir. 2006)	D	262-327	270	W	D	A	G	
U.S. v. Young, 2006 WL 1835971 (4th Cir. 2006)	O	7-13	10	W	D	A	G	
U.S. v. Adolphus, 2006 WL 1835948 (4th Cir. 2006)	F	92-115	115	W	D	A	G	
U.S. v. Esparza, 2006 WL 1835964 (4th Cir. 2006)	I	77-96	77	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Perry, 2006 WL 1835955 (4th Cir. 2006)	O		19	W	D	A	G	
U.S. v. Brown, 2006 WL 1766743 (4th Cir. 2006)	T	78-97	78	W	D	A	G	
U.S. v. Staine, 2006 WL 1766122 (4th Cir. 2006) (defendant Joseph)	D		262	W	D	A	G	
U.S. v. Benavides, 2006 WL 1766121 (4th Cir. 2006)	I	33-41	33	W	D	A	G	
U.S. v. Florence, 2006 WL 1722492 (4th Cir. 2006)	D		268	W	D	A	G	
U.S. v. Hodge, 2006 WL 1722496 (4th Cir. 2006)	F		27	W	D	A	G	
U.S. v. Adams, 2006 WL 1667454 (4th Cir. 2006)	F	92-115	115	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Bustos-Serrano, 2006 WL 1676313 (4th Cir. 2006)	D	168-210	175	W	D	A	G	
U.S. v. Nichols, 2006 WL 1676334 (4th Cir. 2006)	D, F	188-235	190	W	D	A	G	
U.S. v. Briggs, 2006 WL 1642643 (4th Cir. 2006)	O		8	W	D	A	G	
U.S. v. De La Rosa, 2006 WL 1642630 (4th Cir. 2006)	I	46-57	52	W	D	A	G	
U.S. v. Lowe, 2006 WL 1642639 (4th Cir. 2006)	D		78	W	D	A	G	
U.S. v. Barrett, 2006 WL 1627266 (4th Cir. 2006)	F	41-51	41	W	D	A	G	
U.S. v. Timmons, 2006 WL 1627234 (4th Cir. 2006)	D, F		235, 120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Manns, 2006 WL 1627271 (4th Cir. 2006)	F		63	W	D	A	G	
U.S. v. Christian, 2006 WL 1582706 (4th Cir. 2006)	D		78	W	D	A	G	
U.S. v. Hammonds, 2006 WL 1582710 (4th Cir. 2006)	T		300	W	D	A	G	
U.S. v. Graves, 2006 WL 1541150 (4th Cir. 2006)	O	37-46	37	W	D	A	G	
U.S. v. Garcia-Uribe, 2006 WL 1476923 (4th Cir. 2006)	D	135-168	160	W	D	A	G	
U.S. v. Moore, 2006 WL 1476890 (4th Cir. 2006)	T		216	W	D	A	G	
U.S. v. Eaves, 2006 WL 1476922 (4th Cir. 2006)	T		165	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Owens, 2006 WL 1476915 (4th Cir. 2006)	F		100	W	D	A	G	
U.S. v. Caldwell, 2006 WL 1476185 (4th Cir. 2006)	F		78	W	D	A	G	
U.S. v. Billings, 2006 WL 1476872 (4th Cir. 2006)	D	360-480	360	W	D	A	G	
U.S. v. Lepe-Rodriguez, 2006 WL 1476188 (4th Cir. 2006)	I		63	W	D	A	G	
U.S. v. Fowler, 2006 WL 1476180 (4th Cir. 2006)	F		27	W	D	A	G	
U.S. v. Harmer, 2006 WL 1444592 (4th Cir. 2006)	D		262	W	D	A	G	
U.S. v. Dowell, 2006 WL 1408323 (4th Cir. 2006)	D	188-235	210	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thomas, 2006 WL 1373183 (4th Cir. 2006)	F	37-46	37	W	D	A	G	
U.S. v. Bryant, 2006 WL 1328692 (4th Cir. 2006)	D,F		420	W	D	A	G	
U.S. v. Shatley, 448 F.3d 264 (4th Cir. 2006)	O		33	W	D	A	G	
U.S. v. Miles, 2006 WL 1328690 (4th Cir. 2006)	D	235-293	235	W	D	A	G	
U.S. v. Harbin, 2006 WL 1308637 (4th Cir. 2006)	D	87-108	87	W	D	A	G	
U.S. v. Kirk, 2006 WL 1308640 (4th Cir. 2006)	D		51	W	D	A	G	
U.S. v. Espinoza-Barreto, 2006 WL 1233935 (4th Cir. 2006)	I		68	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Oglesbee, 2006 WL 1144512 (4th Cir. 2006)	O		life	W	D	A	G	
U.S. v. Sanchez, 2006 WL 1144514 (4th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Wallace, 2006 WL 1144497 (4th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Navarette-Beltran, 2006 WL 1144495 (4th Cir. 2006)	I	57-71	71	W	D	A	G	
U.S. v. Wilfoung, 2006 WL 1144515 (4th Cir. 2006)	D	210-262	210	W	D	A	G	
U.S. v. Rita, 2006 WL 1144508 (4th Cir. 2006)	O		33	W	D	A	G	
U.S. v. Tyler, 2006 WL 1144520 (4th Cir. 2006)	F	24-30	27	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rivera-Magana, 2006 WL 1144511 (4th Cir. 2006)	I	27-33	27	W	D	A	G	
U.S. v. Bowman, 2006 WL 1130901 (4th Cir. 2006)	F		63	W	D	A	G	
U.S. v. Leggett, 2006 WL 1130904 (4th Cir. 2006)	D		165	W	D	A	G	
U.S. v. Allen, 2006 WL 1114117 (4th Cir. 2006)	F		108	W	D	A	G	
U.S. v. Canady, 2006 WL 1112824 (4th Cir. 2006)	D		136	W	D	A	G	
U.S. v. Myers, 2006 WL 1068980 (4th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Allen, 2006 WL 1068979 (4th Cir. 2006)	F	92-115	110	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Montes-Pineda, 445 F.3d 375 (4th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Belser, 2006 WL 1005011 (4th Cir. 2006)	D		188	W	D	A	G	
U.S. v. Burress, 2006 WL 1005015 (4th Cir. 2006)	F		210	W	D	A	G	
U.S. v. Daniels, 2006 WL 1005013 (4th Cir. 2006)	D		life	W	D	A	G	
U.S. v. Parker, 2006 WL 994442 (4th Cir. 2006)	D, F	308-355	324	W	D	A	G	
U.S. v. Coaxum, 2006 WL 980796 (4th Cir. 2006)	S		12	W	D	A	G	
U.S. v. Johnson, 445 F.3d 339 (4th Cir. 2006)	D	97-121	97	W	D	A	G	
U.S. v. Divine, 2006 WL 908743 (4th Cir. 2006)	F		120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
(4th Cir. 2006)(Apr. 6, 2006 4th Cir.)	D		180	W	D	A	G	
U.S. v. Fitch, 2006 WL 889580 (4th Cir. 2006)	D		75	W	D	A	G	
U.S. v. Juarez-Huarte, 2006 WL 889470 (4th Cir. 2006)	I	27-33	27	W	D	A	G	
U.S. v. Battle, 2006 WL 889794 (4th Cir. 2006)	O	120-150	150	W	D	A	G	
U.S. v. Mason, 2006 WL 889573 (4th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Patton, 2006 WL 871290 (4th Cir. 2006)	T	30-37	37	W	D	A	G	
U.S. v. Monahan, 2006 WL 870590 (4th Cir. 2006)	F	30-37	30	W	D	A	G	
U.S. v. Moore, 2006 WL 871065 (4th Cir. 2006)	F		37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Dove, 2006 WL 870582 (4th Cir. 2006)	D		84	W	D	A	G	
U.S. v. Green, 2006 WL 786816 (4th Cir. 2006)	T		70	W	D	A	G	
U.S. v. Southern, 2006 WL 786812 (4th Cir. 2006)	O		320	W	D	A	G	
U.S. v. Robinson, 2006 WL 775088 (4th Cir. 2006)	O		4	W	D	A	G	
U.S. v. Robinson, 2006 WL 775088 (4th Cir. 2006)	T		18	W	D	A	G	
U.S. v. Gutierrez-Piza, 2006 WL 751521 (4th Cir. 2006)	I	30-37	37	W	D	A	G	
U.S. v. Rivera-Cruz, 2006 WL 694371 (4th Cir. 2006)	T		12	W	D	A	G	
U.S. v. Wallace, 2006 WL 690967 (4th Cir. 2006)	F		180	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rodriguez-Pineda, 2006 WL 678953 (4th Cir. 2006)	I		71	W	D	A	G	
U.S. v. Lewis, 2006 WL 678932 (4th Cir. 2006)	O	120-150	150	W	D	A	G	
U.S. v. Keitt, 2006 WL 678946 (4th Cir. 2006)	O		41	W	D	A	G	
U.S. v. McNair, 2006 WL 678936 (4th Cir. 2006)	F	37-46	37	W	D	A	G	
U.S. v. Gause, 2006 WL 615903 (4th Cir. 2006)	D			W	D	A	G	
U.S. v. Bruton, 2006 WL 558990 (4th Cir. 2006)	D, F			W	D	A	G	
U.S. v. Caldwell, 2006 WL 538097 (4th Cir. 2006)	O	18-24	24	W	D	A	G	
U.S. v. Smoot, 2006 WL 525496 (4th Cir. 2006)	D	121-151	136	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Blythe, 2006 WL 487811 (4th Cir. 2006)	O		8	W	D	A	G	
U.S. v. Williams, 2006 WL 487156 (4th Cir. 2006)	F		48	W	D	A	G	
U.S. v. Krizanovic, 2006 WL 485515 (4th Cir. 2006)	O		46	W	D	A	G	
U.S. v. Shultz, 2006 WL 435837 (4th Cir. 2006)	O		46	W	D	A	G	
U.S. v. Good, 2006 WL 448906 (4th Cir. 2006)	F	235-293	252	W	D	A	G	
U.S. v. Bennett, 2006 WL 372636 (4th Cir. 2006)	F		30	W	D	A	G	
U.S. v. O'Briant, 2006 WL 372638 (4th Cir. 2006)	T		27	W	D	A	G	
U.S. v. Brown, 2006 WL 372639 (4th Cir. 2006)	F		12	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Gaynor, 2006 WL 372622 (4th Cir. 2006)	D	84-100	95	W	D	A	G	
U.S. v. Haskins, 2006 WL 314465 (4th Cir. 2006)	D, F		240	W	D	A	G	
U.S. v. France, 2006 WL 285614 (4th Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Camara, 2006 WL 237092 (4th Cir. 2006)	T	10-16	10	W	D	A	G	
U.S. v. McDaniels, 2006 WL 2288717 (4th Cir. 2006)	F		46	W	D	A	G	
U.S. v. Blanks, 2006 WL 199479 (4th Cir. 2006)	D		life	W	D	A	G	
U.S. v. Haston, 2006 WL 177565 (4th Cir. 2006)	D		37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Martinez-Flores, 2006 WL 189953 (4th Cir. 2006)	F		24	W	D	A	G	
U.S. v. Guzman-Balbuena, 2006 WL 172284 (4th Cir. 2006)	I		70	W	D	A	G	
U.S. v. McClelland, 2006 WL 172250 (4th Cir. 2006)	D		57	W	D	A	G	
U.S. v. Cox, 2006 WL 172289 (4th Cir. 2006)	F	37-46	40	W	D	A	G	
U.S. v. Cunningham, 2006 WL 149066 (4th Cir. 2006)	O		185	W	D	A	G	
U.S. v. Phillips, 2006 WL 26117 (4th Cir. 2006) (defendant Ziegler)	D			W	D	A	G	
U.S. v. Fox, 2006 WL 15381 (4th Cir. 2006)	D		41	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Dawkins, 2006 WL 10895 (4th Cir. 2006)	F		64	W	D	A	G	
U.S. v. Barrett, 2006 WL 2992902 (4th Cir. 2006)	F		120	W	D	A	G	
U.S. v. Dennis, 2006 WL 2918748 (4th Cir. 2006)	D		235	W	D	A	G	
U.S. v. Faulks, 2006 WL 2683300 (4th Cir. 2006)	O		36	W	D	A	G	
U.S. v. Dinnall, 2006 WL 1766122 (4th Cir. 2006)	D		life	W	D	A	G	
U.S. v. Staine, 2006 WL 1766122 (4th Cir. 2006)	D		life	W	D	A	G	
U.S. v. Hardnett, 2006 WL 1446284 (4th Cir. 2006)	D		392	W	D	A	G	
U.S. v. Johnson, 2006 WL 487329 (4th Cir. 2006)	O		30	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Dewalt, 2006 WL 149087 (4th Cir. 2006)	O		16	W	D	A	G	
U.S. v. Roy, 2006 WL 1307867 (4th Cir. 2006)	O		60	W	D	A	G	

FIFTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Corley, 2006 WL 3019195 (5th Cir. 2006)	F			A	D	A	G	
U.S. v. Roach, 2006 WL 2861802 (5th Cir. 2006)	F	37-46	60	A	D	A	G	
U.S. v. Angleton, 2006 WL 2828657 (5th Cir. 2006)	T		60	A	D	A	G	
U.S. v. Day, 2006 WL 2692575 (5th Cir. 2006)	T		120	A	D	A	G	
U.S. v. Weese, 2006 WL 2590309 (5th Cir. 2006)	O		24	A	D	A	G	
U.S. v. Shankin, 2006 WL 2337947 (5th Cir. 2006)	T	15-21	60	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hoyos, 181 Fed.Appx. 479 (5th Cir. 2006)	D		28	A	D	A	G	
U.S. v. Miranda-Echartea, 188 Fed.Appx. 298 (5th Cir. 2006)	D		70	A	D	A	G	
U.S. v. Rios-Joaquina, 188 Fed.Appx. 286 (5th Cir. 2006)	I		60	A	D	A	G	
U.S. v. Collins, 188 Fed.Appx. 266 (5th Cir. 2006)	F	51-63	72	A	D	A	G	
U.S. v. Clements, 188 Fed.Appx. 267 (5th Cir. 2006)	T	57-71	84	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Salinas, 187 Fed.Appx. 396 (5th Cir. 2006)	D	135-168	240	A	D	A	G	
U.S. v. Jones, 182 Fed.Appx. 343 (5th Cir. 2006)	O		24	A	D	A	G	
U.S. v. Howard, 179 Fed.Appx. 233 (5th Cir. 2006)	F	approx. 40	84	A	D	A	G	
U.S. v. Gentry, 178 Fed.Appx. 435 (5th Cir. 2006)	T	151-188	240	A	D	A	G	
U.S. v. Taylor, 179 Fed.Appx. 226 (5th Cir. 2006)	F	77-96	120	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thomas, 176 Fed.Appx. 625 (5th Cir. 2006)	T	63-78	96	A	D	A	G	
U.S. v. Negron Cabrera, 174 Fed.Appx. 856 (5th Cir. 2006)	O		114	A	D	A	G	
U.S. v. Jones, 444 F.3d 430 (5th Cir. 2006)	S	46-57	120	A	D	A	G	
U.S. v. Reinhart, 442 F.3d 857 (5th Cir. 2006)	S	121-151	235	A	D	A	G	
U.S. v. Smith, 440 F.3d 704 (5th Cir. 2006)	F	21-27	60	A	D	A	G	
U.S. v. Perez-Guzman, 2006 WL 3102582, 2006 WL 3102582 (5th Cir. 2006)	I		49	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Guzman-Guzman, 2006 WL 3040637 (5th Cir. 2006)	I		69	A	D	A	G	
U.S. v. Verastegui, 2006 WL 2852399 (5th Cir. 2006)	F, I	63-78	120	A	D	A	G	
U.S. v. Satti, 179 Fed.Appx. 235 (5th Cir. 2006)	F, I			A	D	A	G	
U.S. v. Sterling, 180 Fed.Appx. 515 (5th Cir. 2006)	F		120	A	D	A	G	
U.S. v. Dean, 2006 WL 3005546 (5th Cir. 2006)	D		120	A	D	A	G	
U.S. v. Delancey, 2006 WL 1996385 (5th Cir. 2006)	F		life	A	D	R	D	P

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Tzep-Majia, 461 F.3d 522 (5th Cir. 2006)	I	46-57	36	B	D	A	D	
Unted States v. Johnson, 2006 WL 2277619 (5th Cir. 2006)	D	151-188	144	B	D	A	G	
U.S. v. Brasher, 2006 WL 2167703 (5th Cir. 2006)	D	57-71	48	B	D	A	G	
U.S. v. McCuiston, 183 Fed.Appx. 474 (5th Cir. 2006)	D			B	D	A	G	
U.S. v. Daniel, 178 Fed.Appx. 345 (5th Cir. 2006)	D	240 statuto ry max	120	B	D	A	G	
U.S. v. Bell, 2006 WL 572318 (5th Cir. 2006)	D		120	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rodriguez-Ibarra, 180 Fed.Appx. 513 (5th Cir. 2006)	I	41-51	36	B	D	A	G	
U.S. v. Martinez, 178 Fed.Appx. 404 (5th Cir. 2006)	D	78-98	68	B	D	A	G	
U.S. v. Roush, 466 F.3d 380 (5th Cir. 2006)	T	37-46	27	B	D	R	G	S
U.S. v. Goldsmith, 2006 WL 2034468 (5th Cir. 2006)	F	27-33	0.1	B	G	R	G	S
U.S. v. Armendariz, 451 F.3d 352 (5th Cir. 2006)	S	60-71 plus 3 years supervised release	60 plus no supervised release	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Duhon, 440 F.3d 711 (5th Cir. 2006)	S	15-21	probation	B	G	R	G	S
U.S. v. Guidry, 462 F.3d 373 (5th Cir. 2006)	D	235-293	120	B	G	R	G	S
U.S. v. Johnson, 445 F.3d 793 (5th Cir. 2006)	F	135-168	120	stat max	D	A	G	
U.S. v. Ellis, 2006 WL 3102574 (5th Cir. 2006)	F		96	W	D	A	G	
U.S. v. Watkins, 2006 WL 3311067 (5th Cir. 2006)	D		155	W	D	A	G	
U.S. v. Petisca, 2006 WL 3230274 (5th Cir. 2006)	T			W	D	A	G	
U.S. v. Horsting, 2006 WL 3193368 (5th Cir. 2006)	O	100-125	100	W	D	A	G	
U.S. v. Clark, 2006 WL 3102513 (5th Cir. 2006)	S		51	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Smith, 2006 WL 3068667 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Washington, 2006 WL 2882703 (5th Cir. 2006)	D, F		262	W	D	A	G	
U.S. v. Wishork, WL 2711968 (5th Cir. 2006)	S		180	W	D	A	G	
U.S. v. Ibarra-Zelaya, 465 F.3d 5960 (5th Cir. 2006)	O			W	D	A	G	
U.S. v. Vanchaik-Molinar, 2006 WL 2474048 (5th Cir. 2006)	I		51	W	D	A	G	
U.S. v. Ray, 2006 WL 2482878 (5th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Clark, 2006 WL 2418953 (5th Cir. 2006)	F		120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Underwood, 2006 WL 2460894 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Aguirre-Villa, 460 F.3d 681 (5th Cir. 2006)	I	77-96	77	W	D	A	G	
U.S. v. Jones, 2006 WL 2350166 (5th Cir. 2006)	F		78	W	D	A	G	
U.S. v. Larry, 2006 WL 2337543 (5th Cir. 2006)	T			W	D	A	G	
U.S. v. El-Kareh, 2006 WL 2311112 (5th Cir. 2006)	T		48	W	D	A	G	
U.S. v. Llanas-Garcia, 2006 WL 209118 (5th Cir. 2006)	O		51	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Santoyo-Garcia, 2006 WL 2061833 (5th Cir. 2006)	I		41	W	D	A	G	
U.S. v. Robinson, 2006 WL 1983201 (5th Cir. 2006)	F		262	W	D	A	G	
U.S. v. Poore, 188 Fed.Appx. 245 (5th Cir. 2006)	D		262	W	D	A	G	
U.S. v. Bell, 187 Fed.Appx. 418 (5th Cir. 2006)	D		240	W	D	A	G	
U.S. v. Candia, 454 F.3d 468 (5th Cir. 2006)	D	235-293	280	W	D	A	G	
U.S. v. Medina-Argueta, 454 F.3d 479 (5th Cir. 2006)	I	30-37	37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ulloa, 187 Fed.Appx. 367 (5th Cir. 2006)	D		125	W	D	A	G	
U.S. v. Lopez-Garces, 186 Fed.Appx. 454 (5th Cir. 2006)	I		50	W	D	A	G	
U.S. v. Corona-Majatca, 186 Fed.Appx. 436 (5th Cir. 2006)	I			W	D	A	G	
U.S. v. Salazar, 183 Fed.Appx. 462 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Kirkham, 182 Fed.Appx. 378 (5th Cir. 2006)	T		120, 87 (two defendants)	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Luevano-Orozco, 182 Fed.Appx. 376 (5th Cir. 2006)	I		120	W	D	A	G	
U.S. v. Brown, 180 Fed.Appx. 545 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Aburto, 179 Fed.Appx. 915 (5th Cir. 2006)	T			W	D	A	G	
U.S. v. Garcia, 173 Fed.Appx. 358 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Palacios-Mungia, 178 Fed.Appx. 347 (5th Cir. 2006)	I	57-71	57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Caldwell, 448 F.3d 287 (5th Cir. 2006)	F	24-30	24	W	D	A	G	
U.S. v. Guzman-Resendez, 2006 WL 1050511 (5th Cir. 2006)	D		151	W	D	A	G	
U.S. v. Allison, 447 F.3d 402 (5th Cir. 2006)	S		life term of supervised release	W	D	A	G	
U.S. v. Neal, 176 Fed.Appx. 542 (5th Cir. 2006)	F		115	W	D	A	G	
U.S. v. Gant, 176 Fed.Appx. 520 (5th Cir. 2006)	D			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Williams, 176 Fed.Appx. 449 (5th Cir. 2006)	D		37	W	D	A	G	
U.S. v. McDonald, 176 Fed.Appx. 43 (5th Cir. 2006)	T	37-46	37	W	D	A	G	
U.S. v. Hollins, 174 Fed.Appx. 855 (5th Cir. 2006)	S			W	D	A	G	
U.S. v. Reyes, 172 Fed.Appx. 626 (5th Cir. 2006)	D		12	W	D	A	G	
U.S. v. Meraz, 174 Fed.Appx. 196 (5th Cir. 2006)	I			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thomas, 172 Fed.Appx. 601 (5th Cir. 2006)	D		210	W	D	A	G	
U.S. v. Jackson, 172 Fed.Appx. 599 (5th Cir. 2006)	D		324	W	D	A	G	
U.S. v. Ventura, 172 Fed.Appx. 585 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Salee, 170 Fed.Appx. 891 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Prado, 169 Fed.Appx. 917 (5th Cir. 2006)	D		188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Castillo, 169 Fed.Appx. 909 (5th Cir. 2006)	I			W	D	A	G	
U.S. v. Zuniga-Peralta, 442 F.3d 345 (5th Cir. 2006)	I		60	W	D	A	G	
U.S. v. Bailey, 169 Fed.Appx. 815 (5th Cir. 2006)	O		120	W	D	A	G	
U.S. v. Alonzo, 435 F.3d 551 (5th Cir. 2006)	D	24-30	30	W	D	A	G	
U.S. v. Matinez-Melchor, 161 Fed.Appx. 401 (5th Cir. 2006)	I		63	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Murietta-Maldonado, 161 Fed.Appx. 374 (5th Cir. 2006)	D			W	D	A	G	
U.S. v. Vega-Soto, 2006 WL 3326920 (5th Cir. 2006)	I		96	W	D	A	G	
U.S. v. Flores-Luevano, 2006 WL 3326911 (5th Cir. 2006)	I		41	W	D	A	G	
U.S. v. Garcia-Hernandez, 2006 WL 3231466 (5th Cir. 2006)	I		57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hernandez-Ponce, 2006 WL 3230160 (5th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Mendoza-Galvan, 2006 WL 3147473 (5th Cir. 2006)	I		41	W	D	A	G	
U.S. v. Gonzales, 2006 WL 3059941 (5th Cir. 2006)	S		135	W	D	A	G	
U.S. v. Jimenez, 2006 WL 2852351 (5th Cir. 2006)	F		71	W	D	A	G	
U.S. v. Coleman, 2006 WL 2689866 (5th Cir. 2006)	F			W	D	A	G	
U.S. v. McLemore, 2006 WL 2683340 (5th Cir. 2006)	T			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Garcia-Garcia, 2006 WL 2474089 (5th Cir. 2006)	I		41	W	D	A	G	
U.S. v. Wood, 2006 WL 2350164 (5th Cir. 2006)	T		70	W	D	A	G	
U.S. v. Anaya-Valdez, 2006 WL 2089392 (5th Cir. 2006)	I			W	D	A	G	
U.S. v. Thomas, 2006 WL 2034641 (5th Cir. 2006)	F			W	D	A	G	
U.S. v. Rivero, 185 Fed.Appx. 378 (5th Cir. 2006)	D		292	W	D	A	G	
U.S. v. Le, 178 Fed.Appx. 386 (5th Cir. 2006)	O			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Lizama-Diaz, 178 Fed.Appx. 396 (5th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Geeslin, 447 F.3d 408 (5th Cir. 2006)	T		37	W	D	A	G	
U.S. v. Ramirez-Rosas, 177 Fed.Appx. 379 (5th Cir. 2006)	I	70-87	70	W	D	A	G	
U.S. v. Villa, 173 Fed.Appx. 335 (5th Cir. 2006)	T			'	D	A	G	
U.S. v. Rojas-Duquez, 170 Fed.Appx. 908 (5th Cir. 2006)	I	57-71	60	W	D	A	G	
U.S. v. Ekene, 2006 WL 2465402 (5th Cir. 2006)	T			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Moody, 2006 WL 2861445 (5th Cir. 2006)	T		96	W	D	A	G	
U.S. v. Rivera-Cerda, 2006 WL 2711966 (5th Cir. 2006)	O			W	D	A	G	
U.S. v. Furlow, 2006 WL 2460894 (5th Cir. 2006)	T		51	W	D	A	G	
U.S. v. Hunter, 188 Fed.Appx. 315 (5th Cir. 2006)	O		24	W	D	A	G	
U.S. v. Camarillo-De La Cruz, 174 Fed.Appx. 244 (5th Cir. 2006)	I			W	D	A	G	
U.S. v. Hidalgo-Peralta, 166 Fed.Appx. 762 (5th Cir. 2006)	O		12	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Orona, 166 Fed.Appx. 765 (5th Cir. 2006)	S			W	D	A	G	
U.S. v. Green, 162 Fed.Appx. 283 (5th Cir. 2006)	O		18	W	D	A	G	
U.S. v. Rivere, 178 Fed.Appx. 445 (5th Cir. 2006)	T		150	W	D	A	G	

SIXTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Anderson, 187 Fed.Appx. 517 (6th Cir. 2006)	O	12 - 18	36	A	Both	A	G	
U.S. v. Reid, 2006 WL 3314556 (6th Cir. 2006)	O	8-14	24	A	D	A	G	
U.S. v. Roberts, 2006 WL 2827679 (6th Cir. 2006)	D	77-96	132	A	D	A	G	
U.S. v. Lossia, 2006 WL 2431003 (6th Cir. 2006)	T	63 - 78	98	A	D	A	G	
U.S. v. Ferguson, 456 F.3d 660 (6th Cir. 2006)	O	0-6	12	A	D	A	G	
U.S. v. Barton, 455 F.3d 649 (6th Cir. 2006)	T	100 - 125	168	A	D	A	G	
U.S. v. Soto, 2006 WL 2045488 (6th Cir. 2006)	O	8 -14	24	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hopson, 2006 WL 1913414 (6th Cir. 2006)	F	63-78	84	A	D	A	G	
U.S. v. Mathney, 450 F.3d 633 (6th Cir. 2006)	F, D	24 - 30	36	A	D	A	G	
U.S. v. Brown, 163 Fed.Appx. 370 (6th Cir. 2006)	O	12 - 18	24	A	D	A	G	
U.S. v. Slodoba, 162 Fed.Appx. 550 (6th Cir. 2006)	O	3 - 9	12	A	D	A	G	
Johnson v. U.S., 179 Fed.Appx. 246 (6th Cir. 2006)	O	5 - 11	48	A	D	A	G	
U.S. v. Carr, 421 F.3d 425 (6th Cir. 2006)	O	? - 9	16	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mackie, 173 Fed.Appx. 427 (6th Cir. 2006)	O	5 - 11	24	A	D	A	G	
U.S. v. Mendoza, 2006 WL 2787017 (6th Cir. 2006)	D	135 - 168	200	A	D	A	G	
U.S. v. Ray, 2006 WL 2042651 (6th Cir. 2006)	S	235 - 290, 300 month statuto ry mandat ory min	600	A	D	R	D	P
U.S. v. Yopp, 453 F.3d 770 (6th Cir. 2006)	O	3-9	24	A	D	R	D	P

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Jackson, 2006 WL 3059886 (6th Cir. 2006)	F	84 - 105	72	B	D	A	G	
U.S. v. Deveaux, 2006 WL 2827672 (6th Cir. 2006)	D	210 - 262	180	B	D	A	G	
U.S. v. Gardiner, 463 F.3d 445 (6th Cir. 2006)	O	97 - 121	80	B	D	A	G	
U.S. v. Fonseca, 2006 WL 2440978 (6th Cir. 2006)	D		168	B	D	A	G	
U.S. v. Fonseca, 2006 WL 2440978 (6th Cir. 2006)	D	151 - 188	70	B	D	A	G	
U.S. v. Gomez, 2006 WL 2168011 (6th Cir. 2006)	D, O	life	420	B	D	A	G	
U.S. v. Ybarra-Moreno, 2006 WL 2042918 (6th Cir. 2006)	I	57 - 71	54	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Carroll, 2006 WL 2042652 (6th Cir. 2006)	O	57 - 71	51	B	D	A	G	
U.S. v. Eason, 188 Fed.Appx. 383 (6th Cir. 2006)	D, O	life	480	B	D	A	G	
U.S. v. Redmond, 188 Fed.Appx. 377 (6th Cir. 2006)	T	33 - 41	30	B	D	A	G	
U.S. v. Currie, 183 Fed.Appx. 536 (6th Cir. 2006)	F	130 - 162	120	B	D	A	G	
U.S. v. Willis, 176 Fed.Appx. 653 (6th Cir. 2006)	D	262 - 327	240	B	D	A	G	
U.S. v. Savoca, 166 Fed.Appx. 183 (6th Cir. 2006)	T, F	927 - ?	840	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Satterfield, 2006 WL 2986449 (6th Cir. 2006)	D	87 - 108	36	B	D	A	G	
U.S. v. Ossa-Gallagos, 453 F.3d 371 (6th Cir. 2006)	I	41 - 51	33	B	D	A	G	
U.S. v. Collington, 461 F.3d 805 (6th Cir. 2006)	D	188 - 235	120	B	G	A	D	
U.S. v. Davis, 458 F.3d 491 (6th Cir. 2006)	T	30 - 37	1 day	B	G	R	G	S
U.S. v. Roberts, 2006 WL 2827679 (6th Cir. 2006)	D	life	life	mandat min.	D	A	G	
U.S. v. Roberts, 2006 WL 2827679 (6th Cir. 2006)	D	20 years (mand min)	240	mandat min.	D	A	G	
U.S. v. Caswell, 456 F.3d 652 (6th Cir. 2006)	F	46-57	51	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Johnson, 171 Fed.Appx. 499 (6th Cir. 2006)	F		86	W	D	A	G	
U.S. v Ely, 2006 WL 3313949 (6th Cir. 2006)	O	10 - 16	10	W	D	A	G	
U.S. v. Bernal-Aveja, 2006 WL 3314539 (6th Cir. 2006)	I	57 - 71	57	W	D	A	G	
U.S. v. Boyd, 2006 WL 3307476 (6th Cir. 2006)	F	100 - 120	120	W	D	A	G	
U.S. v. Waterford, 2006 WL 3279855 (6th Cir. 2006)	D	300 - 312	300	W	D	A	G	
U.S. v. McCaskill, 2006 WL 3026226 (6th Cir. 2006)	T	188 - 235	188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Nickson, 2006 WL 2930105 (6th Cir. 2006)	T	46 - 57	57	W	D	A	G	
U.S. v. Washington, 2006 WL 2873368 (6th Cir. 2006)	G, F	21-27	21	W	D	A	G	
U.S. v. Foreman, 2006 WL 2873176 (6th Cir. 2006)	F	57 - 71	57	W	D	A	G	
U.S. v. Jones, 2006 WL 2769314 (6th Cir. 2006)	D	151 - 188	156	W	D	A	G	
U.S. v. Bowen, 2006 WL 2571992 (6th Cir. 2006)	D	360 - life	360	W	D	A	G	
U.S. v. Bergold, 2006 WL 2571999 (6th Cir. 2006)	D	84 - 105	84	W	D	A	G	
U.S. v. Dixon, 2006 WL 2572064 (6th Cir. 2006)	D	21 - 27	21	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Villa-Gomez, 2006 WL 2497885 (6th Cir. 2006)	T	151 - 188	152	W	D	A	G	
U.S. v. Cruz, 461 F.3d 752 (6th Cir. 2006)	O	97 - 121	108	W	D	A	G	
U.S. v. Whitemore, 2006 WL 2472855 (6th Cir. 2006)	F	92 - 115	94	W	D	A	G	
U.S. v. Fonseca, 2006 WL 2440978 (6th Cir. 2006)	D	121 - 151	121	W	D	A	G	
U.S. v. Morris, 2006 WL 2456964 (6th Cir. 2006)	T	46 - 57	46	W	D	A	G	
U.S. v. Underwood, 2006 WL 2381611 (6th Cir. 2006)	F, D		100	W	D	A	G	
U.S. v. Benson, 2006 WL 2380882 (6th Cir. 2006)	F, D	360 - life	360	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Harden, 2006 WL 2373259 (6th Cir. 2006)	F	188 - 235	188	W	D	A	G	
U.S. v. Cage, 458 F.3d 537 (6th Cir. 2006)	T	37 - 46	37	W	D	A	G	
U.S. v. Davis, 458 F.3d 505 (6th Cir. 2006)	O	37 - 46	37	W	D	A	G	
U.S. v. Jenkins, 2006 WL 2329372 (6th Cir. 2006)	F	100 - 125	100	W	D	A	G	
U.S. v. Sake, 2006 WL 2188707 (6th Cir. 2006)	D	97 - 121	120	W	D	A	G	
U.S. v. Wynn, 2006 WL 2168207 (6th Cir. 2006)	F	100 - 125	100	W	D	A	G	
U.S. v. Perez-Garcia, 2006 WL 2168196 (6th Cir. 2006)	I	77 - 96	77	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Walker, 188 Fed.Appx. 433 (6th Cir. 2006)	T	188 - 235	208	W	D	A	G	
U.S. v. Henley, 2006 WL 2168216 (6th Cir. 2006)	D, O	46 - 57	52	W	D	A	G	
U.S. v. Melton, 188 Fed.Appx. 428 (6th Cir. 2006)	D	97 - 121	120	W	D	A	G	
U.S. v. Garcia-Perez, 2006 WL 2075253 (6th Cir. 2006)	I	? - 96	96	W	D	A	G	
U.S. v. Shoup, 188 Fed.Appx. 418 (6th Cir. 2006)	O	51 - 60	51	W	D	A	G	
U.S. v. Lynch, 188 Fed.Appx. 416 (6th Cir. 2006)	D		150	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Caraway, 2006 WL 2042895 (6th Cir. 2006)	F	262 - 327	302	W	D	A	G	
U.S. v. Greer, 2006 WL 2042653 (6th Cir. 2006)	O	12 - 18	12	W	D	A	G	
U.S. v. Harness, 453 F.3d 752 (6th Cir. 2006)	F	37 - 46	44	W	D	A	G	
U.S. v. Skibo, 188 Fed.Appx. 373 (6th Cir. 2006)	T	151 - 188	154	W	D	A	G	
U.S. v. Worley, 453 F.3d 706 (6th Cir. 2006)	D		152	W	D	A	G	
U.S. v. Mickens, 453 F.3d 668 (6th Cir. 2006)	T	30 - 37	30	W	D	A	G	
U.S. v. Hernandez-Fierros, 453 F.3d 309 (6th Cir. 2006)	I	30 - 37	30	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Zerilli, 187 Fed.Appx. 529 (6th Cir. 2006)	O	63 - 78	71	W	D	A	G	
U.S. v. Benson, 186 Fed.Appx. 648 (6th Cir. 2006)	T	360 - life	540	W	D	A	G	
U.S. v. Leppen, 187 Fed.Appx. 504 (6th Cir. 2006)	D	140 - ?	140	W	D	A	G	
U.S. v. Overton, 186 Fed.Appx. 607 (6th Cir. 2006)	D	210 - 262	210	W	D	A	G	
U.S. v. Sanford, 186 Fed.Appx. 614 (6th Cir. 2006)	F	92 - 115	92	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Haworth, 187 Fed.Appx. 458 (6th Cir. 2006)	S	41 - 51	41	W	D	A	G	
U.S. v. Louis, 185 Fed.Appx. 500 (6th Cir. 2006)	I	70 - 87	78	W	D	A	G	
U.S. v. Lumley, 185 Fed.Appx. 495 (6th Cir. 2006)	D		90	W	D	A	G	
U.S. v. Delaney, 185 Fed.Appx. 492 (6th Cir. 2006)	F	235 - 293	240	W	D	A	G	
U.S. v. Jackson, 186 Fed.Appx. 579 (6th Cir. 2006)	D	27 - 33	33	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Bustos, 186 Fed.Appx. 551 (6th Cir. 2006)	D, F	97-121	120	W	D	A	G	
U.S. v. Buchannan, 449 F.3d 731 (6th Cir. 2006)	F	77 - 96	77	W	D	A	G	
U.S. v. McWhirter, 184 Fed.Appx. 467 (6th Cir. 2006)	F		57	W	D	A	G	
U.S. v. Porter, 181 Fed.Appx. 545 (6th Cir. 2006)	D	235 - 293	235	W	D	A	G	
U.S. v. Speight, 183 Fed.Appx. 532 (6th Cir. 2006)	F	188 - 235	175	W	D	A	G	
U.S. v. Cheney, 183 Fed.Appx. 516 (6th Cir. 2006)	F	37 - 46	37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Morris, 448 F.3d 929 (6th Cir. 2006)	O	57 - 71, capped at 60	57	W	D	A	G	
U.S. v. Carrillo-Hernandez, 181 Fed.Appx. 522 (6th Cir. 2006)	I	27 - 33	27	W	D	A	G	
U.S. v. Crenshaw, 182 Fed.Appx. 440 (6th Cir. 2006)	F	92 - 115	115	W	D	A	G	
U.S. v. Ward, 447 F.3d 869 (6th Cir. 2006)	T, F	188 - 235	220	W	D	A	G	
U.S. v. Coffee, 180 Fed.Appx. 562 (6th Cir. 2006)	T		12	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Diaz, 179 Fed.Appx. 938 (6th Cir. 2006)	D	60 - 63	61	W	D	A	G	
U.S. v. Pickett, 179 Fed.Appx. 315 (6th Cir. 2006)	F			W	D	A	G	
U.S. v. Hill, 179 Fed.Appx. 280 (6th Cir. 2006)	F	46 - 57	46	W	D	A	G	
U.S. v. Jackson, 179 Fed.Appx. 283 (6th Cir. 2006)	F	92 - 115	108	W	D	A	G	
U.S. v. Jones, 445 F.3d 865 (6th Cir. 2006)	T	6 - 12	12	W	D	A	G	
U.S. v. Brown, 444 F.3d 519 (6th Cir. 2006)	F	262 - 327	280	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Nguyen, 176 Fed.Appx. 634 (6th Cir. 2006)	D	51 - 63	60	W	D	A	G	
U.S. v. Bolanos, 174 Fed.Appx. 320 (6th Cir. 2006)	D	70 - 87	84	W	D	A	G	
U.S. v. Cowan, 174 Fed.Appx. 307 (6th Cir. 2006)	T	46 - 57	50	W	D	A	G	
U.S. v. Mullins, 173 Fed.Appx. 400 (6th Cir. 2006)	O	4 - 10	8	W	D	A	G	
U.S. v. Hope, 167 Fed.Appx. 531 (6th Cir. 2006)	T	51-63	54	W	D	A	G	
U.S. v. Katzopoulus, 437 F.3d 569 (6th Cir. 2006)	T	33 - 41	33	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ediger, 166 Fed.Appx. 218 (6th Cir. 2006)	T	33 - 41	36	W	D	A	G	
U.S. v. Richardson, 437 F.3d 550 (6th Cir. 2006)	T	151 - 188	180	W	D	A	G	
U.S. v. Alford, 436 F.3d 677 (6th Cir. 2006)	F	110 - 120	120	W	D	A	G	
U.S. v. Cortez, 166 Fed.Appx. 196 (6th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Williams, 436 F.3d 706 (6th Cir. 2006)	F	57 - 71	64	W	D	A	G	
U.S. v. Spates, 162 Fed.Appx. 592 (6th Cir. 2006)	T	27 - 33	27	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Till, 434 F.3d 880 (6th Cir. 2006)	F	151 - 188, stat. max of 120	120	W	D	A	G	
U.S. v. McBride, 434 F.3d 470 (6th Cir. 2006)	T	77 - 96	78	W	D	A	G	
U.S.v. Seymour, 2006 WL 3300002 (6th Cir. 2006)	S		262	W	D	A	G	
U.S. v. Moore, 180 Fed.Appx. 571 (6th Cir. 2006)	T	151 - 188	180	W	D	A	G	
U.S. v. Ibarra, 179 Fed.Appx. 317 (6th Cir. 2006)	I	46 - 57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Giles, 170 Fed.Appx. 414 (6th Cir. 2006)	F	77 - 96	84	W	D	A	G	
U.S. v. Johnson, 184 Fed.Appx. 498 (6th Cir. 2006)	D	135 - 168	144	W	D	A	G	
U.S. v. Johson, 2006 WL 3069075 (6th Cir. 2006)	F	30 - 37	30	W	D	R	D	P
U.S. v. Blackwell, 459 F.3d 739 (6th Cir. 2006)	O		72	W	D	A	G	

SEVENTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Bullion, 466 F.3d 574 (7th Cir. 2006)	F	188-235	264	A	D	A	G	
U.S. v. Zimmer, 2006 WL 2864622 (7th Cir. 2006)	T	24-30	48	A	D	A	G	
U.S. v. Leahy, 464 F.3d 773 (7th Cir. 2006)	T	78-97	118	A	D	A	G	
U.S. v. Valle, 458 F.3d 652 (7th Cir. 2006)	T	100-125	139	A	D	A	G	
U.S. v. Howard, 454 F.3d 700 (7th Cir. 2006)	D	188-235	293	A	D	A	G	
U.S. v. Tautan, 185 Fed.Appx. 524 (7th Cir. 2006)	T	24-30	40	A	D	A	G	
U.S. v. Walker, 447 F.3d 999 (7th Cir. 2006)	O	168-210	240	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Jones, 156 Fed. Appx. 852 (7th Cir. 2005)	O	8-14	18	A	D	A	G	
U.S. v. Filipiak, 466 F.3d 582 (7th Cir. 2006)	T	33-41	24	B	D	A	G	
U.S. v. Stevens, 2006 WL 2787777 (7th Cir. 2006)	D		145	B	D	A	G	
U.S. v. Watkins, 2006 WL 2787719 (7th Cir. 2006)	D	188-235	167	B	D	A	G	
U.S. v. Ibarra, 2006 WL 2016297 (7th Cir. 2006)	I	77-96	60	B	D	A	G	
U.S. v. Poole, 173 Fed.Appx. 488 (7th Cir. 2006)	T	108-135	60	B	D	A	G	
U.S. v. Hewlett, 453 F.3d 876 (7th Cir. 2006)	D	Life	240	B	G	A	D	
U.S. v. Baker, 445 F.3d 987 (7th Cir. 2006)	O, S	108-135	87	B	G	A	D	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Wallace, 458 F.3d 606 (7th Cir. 2006)	T	24-30	Probatio n	B	G	R	G	P
U.S. v. Jointer, 457 F.3d 682 (7th Cir. 2006)	D	135-168	87	B	G	R	G	S
U.S. v. Galicia-Cardenas, 443 F.3d 553 (7th Cir. 2006)	I	41-51	27	B	G	R	G	S
U.S. v. Repking, 2006 WL 3201034 (7th Cir. 2006)	T	41-51	1 day	B	G	R	G	S
U.S. v. Triliegi, 2006 WL 3147242 (7th Cir. 2006)	D	30-37	120	Mand. Min.	D	A	G	
U.S. v. Collins, 170 Fed. Appx 421 (7th Cir. 2006)	T	121-151	120	stat max	D	A	G	
U.S. v. Wurzinger, 2006 WL 3055954 (7th Cir. 2006)	D	210-262	262	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Roberson, 2006 WL 3077144 (7th Cir. 2006)	D	168-210; 188-235; 210-262	180; 194; 210	W	D	A	G	
U.S. v. Roche-Martinez, 2006 WL 2972698 (7th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Lopez-Estrada, 2006 WL 3000746 (7th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Jordan, 2006 WL 2927424 (7th Cir. 2006)	D		180	W	D	A	G	
U.S. v. Perez, 2006 WL 2683440 (7th Cir. 2006)	D	360-Life	360	W	D	A	G	
U.S. v. Gonzalez, 462 F.3d 754 (7th Cir. 2006)	D	262-327	276	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rivera, 463 F.3d 598 (7th Cir. 2006)	O	37-46	37	W	D	A	G	
U.S. v. Flowers, 2006 WL 2528479 (7th Cir. 2006)	D		70	W	D	A	G	
U.S. v. Rinaldi, 461 F.3d 922 (7th Cir. 2006)	T	15-21	21	W	D	A	G	
U.S. v. Steele, 2006 WL 2422830 (7th Cir. 2006)	T	92-115	96	W	D	A	G	
U.S. v. Cooper, 461 F.3d 850 (7th Cir. 2006)	D		240	W	D	A	G	
U.S. v. Santamaria-Vasquez, 2006 WL 2433894 (7th Cir. 2006)	I		40	W	D	A	G	
U.S. v. Turner, 2006 WL 2457383 (7th Cir. 2006)	F	292-365	292	W	D	A	G	
U.S. v. Brazinskas, 458 F.3d 666 (7th Cir. 2006)	T	110-137	120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mendoza, 457 F.3d 726 (7th Cir. 2006)	T		108	W	D	A	G	
U.S. v. Bay, 2006 WL 2233215 (7th Cir. 2006)	T		32	W	D	A	G	
U.S. v. Rush, 2006 WL 2266985 (7th Cir. 2006)	D		235	W	D	A	G	
U.S. v. Ramsey, 186 Fed.Appx. 686 (7th Cir. 2006)	F	18-24	21	W	D	A	G	
U.S. v. Garner, 454 F.3d 743 (7th Cir. 2006)	F	100-125	120	W	D	A	G	
U.S. v. Cardona, 2006 WL 2076422 (7th Cir. 2006)	D	168-210	168	W	D	A	G	
U.S. v. McLee, 2006 WL 2089199 (7th Cir. 2006)	T	262-327 + 60 mand. consec.	262 + 60	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Murph-Jackson, 187 Fed.Appx. 653 (7th Cir. 2006)	T		262	W	D	A	G	
U.S. v. Gurinas, 187 Fed.Appx. 647 (7th Cir. 2006)	T	15-21	15	W	D	A	G	
U.S. v. Gordon, 2006 WL 2045718 (7th Cir. 2006)	D		360	W	D	A	G	
U.S. v. Tyra, 454 F.3d 686 (7th Cir. 2006)	D		108	W	D	A	G	
U.S. v. Rosby, 454 F.3d 670 (7th Cir. 2006)	T, O		87	W	D	A	G	
U.S. v. Jones, 454 F.3d 642 (7th Cir. 2006)	D		300	W	D	A	G	
U.S. v. Santos, 2006 WL 2033698 (7th Cir. 2006)	D	120-135	120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Blue, 453 F.3d 948 (7th Cir. 2006)	F	46-57	46	W	D	A	G	
U.S. v. Grigg, 186 Fed.Appx. 679 (7th Cir. 2006)	S	37-46	37	W	D	A	G	
U.S. v. Graves, 184 Fed.Appx. 579 (7th Cir. 2006)	D	360-Life	360	W	D	A	G	
U.S. v. Gutierrez-Ruiz, 184 Fed.Appx. 564 (7th Cir. 2006)	D		210	W	D	A	G	
U.S. v. Miller, 450 F.3d 270 (7th Cir. 2006)	D	262-327	300	W	D	A	G	
U.S. v. Ramirez-Ibarra, 182 Fed.Appx. 591 (7th Cir. 2006)	I		70	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. McKee, 182 Fed.Appx. 593 (7th Cir. 2006)	D		112	W	D	A	G	
U.S. v. Hale, 448 F.3d 971 (7th Cir. 2006)	O		480	W	D	A	G	
U.S. v. Payan, 182 Fed.Appx. 560 (7th Cir. 2006)	D		235	W	D	A	G	
U.S. v. Lenover, 182 Fed.Appx. 563 (7th Cir. 2006)	D	Life	Life	W	D	A	G	
U.S. v. Farris, 448 F.3d 965 (7th Cir. 2006)	O		120	W	D	A	G	
U.S. v. Spano, 447 F.3d 517 (7th Cir. 2006)	T		78	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thurman, 179 Fed.Appx. 971 (7th Cir. 2006)	D		96	W	D	A	G	
U.S. v. Trombetta, 177 Fed.Appx. 492 (7th Cir. 2006)	D		110	W	D	A	G	
U.S. v. Martinez, 173 Fed.Appx. 529 (7th Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Mitchell, 176 Fed.Appx. 676 (7th Cir. 2006)	O		24	W	D	A	G	
U.S. v. Leal, 175 Fed.Appx. 763 (7th Cir. 2006)	D	37-46	38	W	D	A	G	
U.S. v. Moore, 2006 WL 906435 (7th Cir. 2006)	T	41-51 33-41	41 33	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Coleman, 175 Fed.Appx. 756 (7th Cir. 2006)	D	78-97	92	W	D	A	G	
U.S. v. Davis, 442 F.3d 1003 (7th Cir. 2006)	T		41	W	D	A	G	
U.S. v. Barnes, 173 Fed.Appx. 522 (7th Cir. 2006)	T		87	W	D	A	G	
U.S. v. Reyes-Acosta, 173 Fed.Appx. 494 (7th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Martinez-Martinez, 442 F.3d 539 (7th Cir. 2006)	I	41-51	41	W	D	A	G	
United States v. Owens, 441 F.3d 486 (7th Cir. 2006)	T	57-71	60	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Andrlik, 173 Fed.Appx. 455 (7th Cir. 2006)	D	46-57	57	W	D	A	G	
U.S. v. Ellis, 440 F.3d 434 (7th Cir. 2006)	O	18-24	18	W	D	A	G	
U.S. v. Heintzelman, 170 Fed.Appx. 427 (7th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Sandoval-Vasquez, 435 F.3d 739 (7th Cir. 2006)	D	235-293	235	W	D	A	G	
U.S. v. Cervantes-Lopez, 165 Fed. Appx. 485 (7th Cir. 2006)	I		70	W	D	A	G	
U.S. v. Romero-Pedroza, 167 Fed. Appx. 576 (7th Cir. 2006)	I	57-71	64	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Brisson, 448 F.3d 989 (7th Cir. 2006)	T		30	W	D	A	G	
U.S. v. Marty, 450 F.3d 687 (7th Cir. 2006)	D	63-78	78	W	D	A	G	
U.S. v. Beatty, 189 Fed. Appx. (7th Cir. 2006)	F		62	W	D	A	G	
U.S. v. Tejeda-Lorenzo, 189 Fed. Appx. (7th Cir. 2006)	D	97-121	97	W	D	A	G	
U.S. v. Juarez, 454 F.3d 717 (7th Cir. 2006)	F	235-293	240	W	D	A	G	
U.S. v. Brooks, 188 Fed. Appx. 520 (7th Cir. 2006)	O	151-188	155	W	D	A	G	
U.S. v. Murillo-Guerrero, 2006 WL 2547399 (7th Cir. 2006)	I	46-57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Scott, 2006 WL 2548413 (7th Cir. 2006)	D	151-181	151	W	D	A	G	
U.S. v. Thornton, 463 F.3d 693 (7th Cir. 2006)	F			W	D	A	G	
U.S. v. Loizzi, 2006 WL 2864624 (7th Cir. 2006)	D	188-235	211	W	D	A	G	
U.S. v. Fortner, 2006 WL 3016922 (7th Cir. 2006)	D	262-327	288	W	D	A	G	
U.S. v. Cortez-Mendez, 162 Fed. Appx.610 (7th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Rutherford, 158 Fed. Appx. 742 (7th Cir. 2006)	I		24	W	D	A	G	
U.S. v. Contreras, 159 Fed. Appx. 733 (7th Cir. 2006)	D	235-193	235	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hanson, 160 Fed. Appx 474 (7th Cir. 2006)	D	168-210	180	W	D	A	G	
U.S. v. Amuda, 160 Fed. Appx. 476 (7th Cir. 2006)	F		130	W	D	A	G	
U.S. v. Henry, 153 Fed. Appx. 977 (7th Cir. 2006)	D		262	W	D	A	G	
U.S. v. Barajas-Hernandez, 140 Fed. Appx. 626 (7th Cir. 2006)	I		18	W	D	A	G	
U.S. v. Melendez, 2006 WL 3040749 (7th Cir. 2006)	D	292-365	300	W	D	A	G	
U.S. v. Laufle, 433 F.3d 981 (7th Cir. 2006)	D	70-87	76	W	D	A	G	
U.S. v. Johnson, 161 Fed. Appx. 600 (7th Cir. 2006)	T	63-78	78	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Vaughn, 433 F.3d 917 (7th Cir. 2006)	T		112	W	D	A	G	
U.S. v. Cordero-Guzman, 2006 WL 3314514 (7th Cir. 2006)	I		18	W	D	A	G	
U.S. v. Smith, 2006 WL 2457462 (7th Cir. 2006)	F	12-18	12	W	D	R	D	P
U.S. v. Hankton, 463 F.3d 626 (7th Cir. 2006)	D D		300 210	W W	D D	A A	G G	

EIGHTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Lyons, 450 F.3d 834 (8th Cir. 2006)	T	70-87	180	A	D	A	G	
U.S. v. Tensley, Jr., 2006 WL 2661154 (8th Cir. 2006)	F	63-78	84	A	D	A	G	
U.S. v. Mallory, 2006 WL 2441577 (8th Cir. 2006)	D	27-33	60	A	D	A	G	
U.S. v. Maurstad, 454 F.3d 787 (8th Cir. 2006)	D	41-51	120	A	D	A	G	
U.S. v. Meyer, 452 F.3d 998 (8th Cir. 2006)	S		270	A	D	A	G	
U.S. v. Bird, 450 F.3d 789 (8th Cir. 2006)	O	46-57	67	A	D	A	G	
U.S. v. Anderson, 440 F.3d 1013 (8th Cir. 2006)	T	87-108	120	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Porter, 439 F.3d 845 (8th Cir. 2006)	F	57-71	120	A	D	A	G	
U.S. v. Hawkman, 438 F.3d 879 (8th Cir. 2006)	F	161-171	228	A	D	A	G	
U.S. v. Ademi, 439 F.3d 964 (8th Cir. 2006)	I	37-46	47	A	D	A	G	
U.S v. Kelly, 436 F.3d 992 (8th Cir. 2006)	F	70-87	96	A	D	A	G	
U.S. v. Sitting Bear, 436 F.3d 929 (8th Cir. 2006)	O	151-188	228	A	D	A	G	
U.S. v. Marshall, 436 F.3d 929 (8th Cir. 2006)	O	151-188	228	A	D	A	G	
U.S. v. Larrabee, 436 F.3d 890 (8th Cir. 2006)	O	188-235	363	A	D	A	G	
U.S. v. Nelson, 453 F.3d 1004 (8th Cir. 2006)	D	4-10	24	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Chase, 451 F.3d 474 (8th Cir. 2006)	O	57-71	96	A	D	A	G	
U.S. v. Mack, 452 F.3d 744 (8th Cir. 2006)	S	30-37	51	A	D	A	G	
U.S. v. Hacker, 450 F.3d 808 (8th Cir. 2006)	T	92-115	180	A	D	A	G	
U.S. v. Porchia, 180 Fed.Appx. 596 (8th Cir. 2006)	D	6-12	24	A	D	A	G	
U.S. v. Larison, 432 F.3d 921 (8th Cir. 2006)	D	5-11	60	A	D	A	G	
U.S. v. Hawk Wing, 433 F.3d 622 (8th Cir. 2006)	T	6-12	18	A	D	A	G	
U.S. v. Kendall, 446 F.3d 782 (8th Cir. 2006)	D	27-33	84	A	D	R	D	S

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. D.A.L.D., 2006 WL 3230091 (8th Cir. 2006)	O	46-57	24	B	D	A	G	
U.S. v. Davis, 2006 WL 3161928 (8th Cir. 2006)	D	235-293	180	B	D	A	G	
U.S. v. Whipple, 2006 WL 2714924 (8th Cir. 2006)		292-365	240	B	D	A	G	
U.S. v. Pamperin, 456 F.3d 822 (8th Cir. 2006)	D	210-240	120	B	D	A	G	
U.S. v. Dieatrick, 2006 WL 1913440 (8th Cir. 2006)	S	120-?	72	B	D	A	G	
U.S. v. Longoria, 186 Fed.Appx. 699 (8th Cir. 2006)	T	70-87	48	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Bassinger, 183 Fed.Appx. 588 (8th Cir. 2006)	D	?-240	216	B	D	A	G	
U.S. v. Pierce, 179 Fed.Appx. 975 (8th Cir. 2006)	F	27-33	21	B	D	A	G	
U.S. v. Alexander, 170 Fed.Appx. 992 (8th Cir. 2006)	D		12	B	D	A	G	
U.S. v. Berni, 439 F.3d 990 (8th Cir. 2006)	D	188-235	96	B	D	A	G	
U.S. v. Morin, 437 F.3d 777 (8th Cir. 2006)	D	324-405	264	B	D	A	G	
U.S. v. Olthoff, 437 F.3d 729 (8th Cir. 2006)	F	110-120	92	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Puckett, 163 Fed.Appx. 430 (8th Cir. 2006)	O		6	B	D	A	G	
U.S. v. Worthing, 434 F.3d 1046 (8th Cir. 2006)	T	151-188	120	B	D	A	G	
U.S. v. Gaver, 452 F.3d 1007 (8th Cir. 2006)	F	37-46	29	B	D	A	G	
U.S. v. Scott, 448 F.3d 1040 (8th Cir. 2006)	T	63-78	55	B	D	A	G	
U.S. v. Blanchard, 162 Fed.Appx. 655 (8th Cir. 2006)	D, F	324-405	228	B	D	A	G	
U.S. v. Krutsinger, 449 F.3d 827 (8th Cir. 2006)	O	70-87	24	B	G	A	D	
U.S. v. Maloney, 466 F.3d 663 (8th Cir. 2006)	F	360-life	180	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Beal, 463 F.3d 834 (8th Cir. 2006)	D	188-235	84	B	G	R	G	S
U.S. v. McDonald, 461 F.3d 948 (8th Cir. 2006)	D	262-327	132	B	G	R	G	S
U.S. v. Portillo, 458 F.3d 828 (8th Cir. 2006)	D	188-235	120	B	G	R	G	S
U.S. v. Robinson, 454 F.3d 839 (8th Cir. 2006)	F	63-78	Pro-bation	B	G	R	G	S
U.S. v. Brown, 453 F.3d 1024 (8th Cir. 2006)	D	360-life	240	B	G	R	G	S
U.S. v. Smith, 450 F.3d 856 (8th Cir. 2006)	D	262-327	204	B	G	R	G	P
U.S. v. Medearis, 451 f.3D 918 (8th Cir. 2006)	F, D	46-57	Pro-bation	B	G	R	G	S
U.S. v. Ture, 450 F.3d 352 (8th Cir. 2006)	O	12-18	Pro-bation+ service	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rogers, 448 F.3d 1033 (8th Cir. 2006)	F	51-63	12	B	G	R	G	S/P
U.S. v. Gall, 446 F.3d 884 (8th Cir. 2006)	D	30-37	probation	B	G	R	G	S
U.S. v. Bueno, 443 F.3d 1017 (8th Cir. 2006)	D	108-135	18	B	G	R	G	S
U.S. v. Lazenby, 439 F.3d 928 (8th Cir. 2006)	D	70-87	12	B	G	R	G	S
U.S. v. Rivera, 439 F.3d 446 (8th Cir. 2006)	D	188-235	60	B	G	R	G	P
U.S. v. Myers, 439 F.3d 415 (8th Cir. 2006)	F	37-46	12	B	G	R	G	P
U.S. v. Claiborne, 439 F.3d 479 (8th Cir. 2006)	D	37-46	15	B	G	R	G	S
U.S. v. Gatewood, 438 F.3d 894 (8th Cir. 2006)	F	63-78	36	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Shafer, 438 F.3d 1225 (8th Cir. 2006)	S	63-78	48	B	G	R	G	S
U.S. v. McMannus, 436 F.3d 871 8th Cir. 2006)	D	57-71	24	B	G	R	G	S
U.S. v. Brinton, 436 F.3d 871 (8th Cir. 2006)	D	262-327	120	B	G	R	G	S
U.S. v. Feemster, 435 F.3d 881 (8th Cir. 2006)	D	360-life	120	B	G	R	G	P
U.S. v. Collier, 2006 WL 2290513 (8th Cir. 2006)	D	188-235	72	B	G	R	G	P
U.S. v. Lee, 454 F.3d 836 (8th Cir. 2006)	D	262-327	120	B	G	R	G	S
U.S. v. Bradford, 447 F.3d 1026 (8th Cir. 2006)	F, D	110-137	36	B	G	R	G	S
U.S. v. Bryant, 446 F.3d 1317 (8th Cir. 2006)	D	70-87	30	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Givens, 443 F.3d 642 (8th Cir. 2006)	T	24-30	0	B	G	R	G	S
U.S. v. Goody, 442 F.3d 1132 (8th Cir. 2006)	D	168-210	72	B	G	R	G	S
U.S. v. Mentzos, II, 462 F.3d 830 (8th Cir. 2006)	S		480	W	D	A	G	
U.S. v. Perry, 2006 WL 3230094 (8th Cir. 2006)	T		21	W	D	A	G	
U.S. v. Larkins, 2006 WL 3208671 (8th Cir. 2006)	D		188	W	D	A	G	
U.S. v. Muhammad, 2006 WL 3161928 (8th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Francis, 2006 WL 3161928 (8th Cir. 2006)	D	360-life	420	W	D	A	G	
U.S. v. Francis, 2006 WL 3161928 (8th Cir. 2006)	D	life	life	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ellison, 2006 WL 314733 (8th Cir. 2006)	T		33	W	D	A	G	
U.S. v. Martinez, 2006 WL 3078924 (8th Cir. 2006)	I		84	W	D	A	G	
U.S. v. Perez, 2006 WL 2993390 (8th Cir. 2006)	D		100	W	D	A	G	
U.S. v. Crow, 2006 WL 2987304 (8th Cir. 2006)	O		24	W	D	A	G	
U.S. v. Garcia-Sanchez, 2006 WL 2946826 (8th Cir. 2006)	D		108	W	D	A	G	
U.S. v. Ware, 2006 WL 2873245 (8th Cir. 2006)	F	46-57	57	W	D	A	G	
U.S. v. McCorkle, 2006 WL 2742323 (8th Cir. 2006)	F	57-71	64	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mosner, 2006 WL 2661156 (8th Cir. 2006)	T		188	W	D	A	G	
U.S. v. Stewart, 462 F.3d 960 (8th Cir. 2006)	O	292-360	300	W	D	A	G	
U.S. v. Huber, 462 F.3d 945 (8th Cir. 2006)	T		60	W	D	A	G	
U.S. v. Straughan, 462 F.3d 847 (8th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Moore, 2006 WL 2561243	T		12	W	D	A	G	
U.S. v. Kiertzner, 460 F.3d 988 (8th Cir. 2006)	F		41	W	D	A	G	
U.S. v. Plumman, 188 Fed.Appx. 529 (8th Cir. 2006)	S	?-life	384	W	D	A	G	
U.S. v. Winston, 456 F.3d 861 (8th Cir. 2006)	D		262	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Foote, 454 F.3d 787 (8th Cir. 2006)	D	210-262	240	W	D	A	G	
U.S. v. Oslund, 453 F.3d 1048 (8th Cir. 2006)	F, T	?-life	life	W	D	A	G	
U.S. v. Adams, 451 F.3d 471 (8th Cir. 2006)	D		360	W	D	A	G	
U.S. v. Gregg, 451 F.3d 930 (8th Cir. 2006)	O	135-168	135	W	D	A	G	
U.S. v. Mathis, 451 F.3d 939 (8th Cir. 2006)	S		214	W	D	A	G	
U.S. v. Lee, 451 F.3d 914 (8th Cir. 2006)	D, F	346-411	346	W	D	A	G	
U.S. v. Dunlap, 452 F.3d 747 (8th Cir. 2006)	D		70	W	D	A	G	
U.S. v. Gladney, 184 Fed.Appx. 586 (8th Cir. 2006)	D	188-235	188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Walker, 2006 WL 1596805 (8th Cir. 2006)	T		87	W	D	A	G	
U.S. v. Snider, 2006 WL 1594429 (8th Cir. 2006)	D		196	W	D	A	G	
U.S. v. Nuno-Alvarez, 182 Fed.Appx. 630 (8th Cir. 2006)	D		87	W	D	A	G	
U.S. v. Espinoza-Naranjo, 182 Fed.Appx. 610 (8th Cir. 2006)	I, D	77-96	42 + time served	W	D	A	G	
U.S. v. Erby, 180 Fed.Appx. 637 (8th Cir. 2006)	F		40	W	D	A	G	
U.S. v. Cazares-Gonzales, 182 Fed.Appx 603 (8th Cir. 2006)	I	46-57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Aguilar-Martinez, 181 Fed.Appx. 612 (8th Cir. 2006)	D		322	W	D	A	G	
U.S. v. Williams, 180 Fed.Appx. 615 (8th Cir. 2006)	F		41	W	D	A	G	
U.S. v. Willis, 180 Fed.Appx. 605 (8th Cir. 2006)	T		180	W	D	A	G	
U.S. v. Anderson, 446 F.3d 870 (8th Cir. 2006)	O	15-21	21	W	D	A	G	
U.S. v. Jeremiah, 446 F.3d 805 (8th Cir. 2006)	S		27	W	D	A	G	
U.S. v. Dion, 178 Fed.Appx. 609 (8th Cir. 2006)	T		36	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Darks, 446 F.3d 762 (8th Cir. 2006)	D			W	D	A	G	
U.S. v. Ruiz, 446 F.3d 762 (8th Cir. 2006)	D			W	D	A	G	
U.S. v. Turner, 178 Fed.Appx. 600 (8th Cir. 2006)	D	57-71	71	W	D	A	G	
U.S. v. Bell, 445 F.3d 1086 (8th Cir. 2006)	T		100	W	D	A	G	
U.S. v. Cadenas, 445 F.3d 1091 (8th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Mugan, 441 F.3d 622 (8th Cir. 2006)	S	210-262	240	W	D	A	G	
U.S. v. Green, 442 F.3d 677 (8th Cir. 2006)	D	87-105	105	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mendoza-Mendoza, 172 Fed.Appx. 130 (8th Cir. 2006)	D		121	W	D	A	G	
U.S. v. Ramirez-Becerra, 170 Fed.Appx. 982 (8th Cir. 2006)	D	120-135	120	W	D	A	G	
U.S. v. Magana-Suarez, 170 Fed.Appx. 983 (8th Cir. 2006)	I		30	W	D	A	G	
U.S. v. Cabrera-Villegas, 170 Fed.Appx. 990 (8th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Anderson, 170 Fed.Appx. 996 (8th Cir. 2006)	T		210	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Arroyo-Santiago, 174 Fed.Appx. 349 (8th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Allaei, 174 Fed. Appx. 350 (8th Cir. 2006)	D	24-30	24	W	D	A	G	
U.S. v. White, 439 F.3d 433 (8th Cir. 2006)	F	30-37	36	W	D	A	G	
U.S. v. Tabor, 439 F.3d 826 (8th Cir. 2006)	D		200	W	D	A	G	
U.S. v. Henderson, 440 F.3d 453 (8th Cir. 2006)	O		63	W	D	A	G	
U.S. v. Jacinto, 168 Fed.Appx. 129 (8th Cir. 20060	F		37	W	D	A	G	
U.S. v. Bates, 167 Fed.Appx. 581 (8th Cir. 2006)	O		10	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Reams, 167 Fed.Appx. 584 (8th Cir. 2006)	F		30	W	D	A	G	
U.S. v. Cain, 167 Fed.Appx. 580 (8th Cir. 2006)	T	168-210	168	W	D	A	G	
U.S. v. Sebastian, 436 F.3d 913 (8th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Alvaro-Reyes, 163 Fed.Appx. 449 (8th Cir. 2006)	D		87	W	D	A	G	
U.S. v. Simmons, 168 Fed.Appx. 124 (8th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Grant, 165 Fed.Appx. 493 (8th Cir. 2006)	D	151-188	170	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Tucker, 161 Fed.Appx. 629 (8th Cir. 2006)	D		9	W	D	A	G	
U.S. v. Hill, 163 Fed.Appx. 438 (8th Cir. 2006)	F	188-235	200	W	D	A	G	
U.S. v. Denton, 434 F.3d 1104 (8th Cir. 2006)	D	life	life	W	D	A	G	
U.S. v. Smith, 163 Fed.Appx. 433 (8th Cir. 2006)	T			W	D	A	G	
U.S. v. Reyes, 162 Fed.Appx. 685 (8th Cir. 2006)	D	?-87	87	W	D	A	G	
U.S. v. Artis, 161 Fed.Appx. 627 (8th Cir. 2006)	T		46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Wade, 435 F.3d 828 (8th Cir. 2006)	T	18-24	18	W	D	A	G	
U.S. v. Dao, 2006 WL 2472749 (8th Cir. 2006)	D	63-78	63	W	D	A	G	
U.S. v. Floyd, 458 F.3d 844 (8th Cir. 2006)	O		33	W	D	A	G	
U.S. v. Pippert, 458 F.3d 844 (8th Cir. 2006)	O		36	W	D	A	G	
U.S. v. Arther, 2006 WL 2372159 (8th Cir. 2006)	F	77-96	96	W	D	A	G	
U.S. v. Wiig, 2006 WL 2321230 (8th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Davis, 457 F.3d 817 (8th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Brown, 2006 WL 2192716 (8th Cir. 2006)	F		12	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Whitrock, 454 F.3d 866 (8th Cir. 2006)	T	168-210	180	W	D	A	G	
U.S. v. Johnson, 187 Fed.Appx. 669 (8th Cir. 2006)	D, F	240-262	240	W	D	A	G	
U.S. v. Valencia, 186 Fed.Appx. 711 (8th Cir. 2006)	D		180	W	D	A	G	
U.S. v. Pappas, 452 F.3d 767 (8th Cir. 2006)	F	77-96	77	W	D	A	G	
U.S. v. Bowers, 182 Fed.Appx. 624 (8th Cir. 2006)	D, F	135-168	135	W	D	A	G	
U.S. v. Urbina-Hernandez, 182 Fed.Appx. 617 (8th Cir. 2006)	I		48	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mull, 181 Fed.Appx. 610 (8th Cir. 2006)	D	97-?	97	W	D	A	G	
U.S. v. Milk, 447 F.3d 593 (8th Cir. 2006)	O	135-168	135	W	D	A	G	
U.S. v. Annis, 446 F.3d 852 (8th Cir. 2006)	D	235-293	235	W	D	A	G	
U.S. v. Lee, 178 Fed.Appx. 603 (8th Cir. 2006)	D		360	W	D	A	G	
U.S. v. Tucker, 178 Fed.Appx. 601 (8th Cir. 2006)	D	70-87	70	W	D	A	G	
U.S. v. Love, 176 Fed.Appx. 708 (8th Cir. 2006)	F		70	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Vasquex-Cardona, 175 Fed.Appx. 105 (8th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Mennen, 175 Fed.Appx. 103 (8th Cir. 2006)	D	70-87	87	W	D	A	G	
U.S. v. Searby, 439 F.3d 961 (8th Cir. 2006)	S	151-180	160	W	D	A	G	
U.S. v. Walker, 439 F.3d 890 (8th Cir. 2006)	T	4-10	5	W	D	A	G	
U.S. v. Sanchez, 169 Fed.Appx. 491 (8th Cir. 2006)	D	63-78	63	W	D	A	G	
U.S. v. Barron, 166 Fed.Appx. 890 (8th Cir. 2006)	D	121-151	136	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Davidson, 437 F.3d 737 (8th Cir. 2006)	D, F		300	W	D	A	G	
U.S. v. Rivera-Moreno, 161 Fed.Appx. 622 (8th Cir. 2006)	D		292	W	D	A	G	
U.S. v. Enos, 161 Fed.Appx. 620 (8th Cir. 2006)	D		70	W	D	A	G	
U.S. v. Mickelson, 433 F.3d 1050 (8th Cir. 2006)	S	41-51	51	W	D	A	G	
U.S. v. Dieken, 432 F.3d 906 (8th Cir. 2006)	D	97-121	97	W	D	A	G	
U.S. v. Goodwin, 439 F.3d 928 (8th Cir. 2006)	D	87-108	87	W	D	R	D	S
U.S. v. Okai, 454 F.3d 848 (8th Cir. 2006)	T	2-8	8	W	G	R	G	P

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Sauerbry, 2006 WL 3147483 (8th Cir. 2006)	O		12	W	D	A	G	
U.S. v. Caldwell, 2006 WL 2404500 (8th Cir. 2006)	D		188	W	D	A	G	
U.S. v. Valdivia-Perez, 185 Fed.Appx. 543 (8th Cir. 2006)	D, F		life	W	D	A	G	
U.S. v. Walker, 185 Fed.Appx. 554 (8th Cir. 2006)	D		235	W	D	A	G	
U.S. v. Dawn, 180 Fed.Appx. 617 (8th Cir. 2006)	F		180	W	D	A	G	
U.S. v. Atteberry, 447 F.3d 562 (8th Cir. 2006)	S		120	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Aviles, 446 F.3d 762 (8th Cir. 2006)	D			W	D	A	G	
U.S. v. Vergara-Viernes, 175 Fed.Appx. 100 (8th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Vaughn, 173 Fed.Appx. 532 (8th Cir. 2006)	F			W	D	A	G	
U.S. v. Gray, 163 Fed.Appx. 448 (8th Cir. 2006)	D			W	D	A	G	
U.S. v. Marbach, 163 Fed.Appx. 434 (8th Cir. 2006)	O		24	W	D	A	G	
U.S. v. Stead, 162 Fed.Appx. 678 (8th Cir. 2006)	O			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-lines Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rivera, 159 Fed.Appx. 748 (8th Cir. 2006)	D		70	W	D	A	G	

NINTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Booth, 2006 WL 2521544 (9th Cir. 2006)	T		162	A	D	A	G	
U.S. v. Coppola, 2006 WL 2460804 (9th Cir. 2006)	T		188	A	D	A	G	
U.S. v. Ackerman, 2006 WL 2404573 (9th Cir. 2006)	O		180	A	D	A	G	
U.S. v. Mix, 457 F.3d 906 (9th Cir. 2006)	S & O		Life	A	D	A	G	
U.S. v. Mohamed, 459 F.3d 979 (9th Cir. 2006)	F	12-18	60	A	D	A	G	
U.S. v. Ellsworth, 456 F.3d 1146 (9th Cir. 2006)	F		78	A	D	A	G	
U.S. v. Menz, 2006 WL 2099290 (9th Cir. 2006)	O	30-37	40	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Jeakins, 2006 WL 1642654 (9th Cir. 2006)	S		168	A	D	A	G	
U.S. v. DeGeorge, 178 Fed. Appx. 764 (9th Cir. 2006)	T			A	D	A	G	
U.S. v. Williamson, 439 F.3d 1125 (9th Cir. 2006)	S		180	A	D	A	G	
U.S. v. Bad Marriage, 439 F.3d 534 (9th Cir. 2006)	O	33-41	48	A	D	A	G	
U.S. v. Soza-Balderama, 163 Fed. Appx. 571 (9th Cir. 2006)	I		51	A	D	A	G	
U.S. v. Wise, 166 Fed. Appx. 986 (9th Cir. 2006)	O			A	D	A	G	
U.S. v. Guerrieri, 184 Fed. Appx. 630 (9th Cir. 2006)	S		262	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Castaneda-Ceja, 2006 WL 3313199	I		52	A	D	A	G	
U.S. v. Espinoza-Cortez, 169 Fed. Appx. 492 (9th Cir. 2006)	I	77-96	102	A	D	A	G	
U.S. v. Mohamed, 2006 WL 3147268 (9th Cir. 2006)	T & O	0-6	18	A	D	A	G	
U.S. v. Roberts, 2006 WL 2136144 (9th Cir. 2006)	O		36	A	D	A	G	
U.S. v. Miqbel, 444 F.3d 1173 (9th Cir. 2006)	O	3-9	12	A	D	R	D	P
U.S. v. Branch, 2006 WL 2373468	T		200	B	D	A	G	
U.S. v. Martinez-De Loza, 2006 WL 2076704	I		40	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Cruz-Lemus, 2006 WL 2087516 (9th Cir. 2006)	I	77-96	48	B	D	A	G	
U.S. v. O'Neill, 2006 WL 2053533 (9th Cir. 2006)	T		24	B	D	A	G	
U.S. v. Cano-Ramirez, 2006 WL 2041497 (9th Cir. 2006)	I		60	B	D	A	G	
U.S. v. Silva, 2006 WL 1962999 (9th Cir. 2006)	I		46	B	D	A	G	
U.S. v. Davis, 182 Fed. Appx. 741 (9th Cir. 2006)	S		60	B	D	A	G	
U.S. v. Hutson, 183 Fed. Appx. 675 (9th Cir. 2006)	T	210-262	180	B	D	A	G	
U.S. v. Reina-Rodriguez, --- F.3d ---, 2006 WL 3302652 (9th Cir. 2006)	I	57-71	51	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Evenilso-Cruz, 176 Fed. Appx. 872 (9th Cir. 2006)	I		30	B	D	A	G	
U.S. v. Usanga, 2006 WL 2661163 (9th Cir. 2006)	T		18	B	D	A	G	
U.S. v. Shpirt, 2006 WL 2102338 (9th Cir. 2006)	T			B	D	A	G	
U.S. v. Lizarraga-Cedano, 2006 WL 2063066	D	Life		B	D	A	G	
U.S. v. Aguilar-Delgado, 2006 WL 2466249 (9th Cir. 2006)	I	57-71	46	B	D	A	G	
U.S. v. Postadan, 2006 WL 3228722 (9th Cir. 2006)	D	292-365	200	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Pryce, 2006 WL 2166721 (9th Cir. 2006)	D		60	B	D	A	G	
U.S. v. Rosell-Fernandez, 2006 WL 2063080 (9th Cir. 2006)	I	77-96	60	B	D	A	G	
U.S. v. Landrus, 183 Fed. Appx. 649 (9th Cir. 2006)	D	360-Life	300	B	D	A	G	
U.S. v. Kulgavchuck, 183 Fed. Appx. 647 (9th Cir. 2006)	D	292-365	180	B	D	A	G	
U.S. v. Rocha, 180 Fed. Appx. 660 (9th Cir. 2006)	F	10-16	7	B	D	A	G	
U.S. v. Gonzalez, 178 Fed. Appx. 640 (9th Cir. 2006)	T			B	D	A	G	
U.S. v. Tapia-Piceno, 2006 WL 2669038 (9th Cir. 2006)	D	87-108	74	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Tapia-Piceno, 2006 WL 2669038 (9th Cir. 2006)	D	41-51	36	B	D	A	G	
U.S. v. Gibbons, 2006 WL 2358005 (9th Cir. 2006)	T	78-97	60	B	D	A	G	
U.S. v. Gibson, 2006 WL 2357407 (9th Cir. 2006)	T	46-57	30	B	D	A	G	
U.S. v. Fernandez-Esparza, 2006 WL 2136150 (9th Cir. 2006)	I	57-71	54	B	D	A	G	
U.S. v. Khan, 2006 WL 2096059 (9th Cir. 2006)	T		24	B	G	A	D	
U.S. v. Williams, 171 Fed. Appx. 604 (9th Cir. 2006)			15	B	G	A	D	
U.S. v. Atkinson, 180 Fed. Appx. 656 (9th Cir. 2006)	T	77-96	9	B	G	R	G	P

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Beraldo, 2006 WL 2088168 (9th Cir. 2006)	O	51-63	24	stat. max.	D	A	G	
U.S. v. Ramirez-Campos, 2006 WL 3040050 (9th Cir. 2006)	I		70	W	D	A	G	
U.S. v. Spears, 172 Fed. Appx. 216 (9th Cir. 2006)	D	33-41	36	W	D	A	G	
U.S. v. Bearcub, 2006 WL 2615083 (9th Cir. 2006)	S			W	D	A	G	
U.S. v. Garcia-Cortez, 2006 WL 2466919 (9th Cir. 2006)	D		168	W	D	A	G	
U.S. v. Anzo-Enriquez, 2006 WL 2990118 (9th Cir. 2006)	I		77	W	D	A	G	
U.S. v. Nichols, 464 F.3d 1117 (9th Cir. 2006)	F	57-71	57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rivera-Lara, 2006 WL 2661172 (9th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Altamirano-Ortiz, 2006 WL 2661145 (9th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Garcia-Rubio, 2006 WL 2661139 (9th Cir. 2006)	I		70	W	D	A	G	
U.S. v. Whitright, 2006 WL 2563474 (9th Cir. 2006)	O		108	W	D	A	G	
U.S. v. Vasquez, 2006 WL 2521446 (9th Cir. 2006)				W	D	A	G	
U.S. v. Maciel-Vasquez, 458 F.3d 994 (9th Cir. 2006)	I		36	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Morales, 2006 WL 2233228 (9th Cir. 2006)	O	4-10	10	W	D	A	G	
U.S. v. Gotty, 2006 WL 2096084 (9th Cir. 2006)	T		170	W	D	A	G	
U.S. v. Arrendondo, 2006 WL 2076564 (9th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Gasca-Morado, 2006 WL 2085396 (9th Cir. 2006)	I			W	D	A	G	
U.S. v. Castro-Muro, 2006 WL 2063063 (9th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Miranda-Sanchez, 2006 WL 1878689 (9th Cir. 2006)	I			W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Clark, 452 F.3d 1082 (9th Cir. 2006)	F		46	W	D	A	G	
U.S. v. Vega-Barajas, 185 Fed. Appx. 579 (9th Cir. 2006)	I, F		57	W	D	A	G	
U.S. v. Reyes-Osorto, 184 Fed. Appx. 628 (9th Cir. 2006)	I		87	W	D	A	G	
U.S. v. Lopez-Lopez, 180 Fed. Appx. 680 (9th Cir. 2006)	I	70-87	70	W	D	A	G	
U.S. v. Oros-Rodriguez, 180 Fed. Appx. 677 (9th Cir. 2006)	I			W	D	A	G	
U.S. v. Larumbe-Zuniga, 182 Fed. Appx. 651 (9th Cir. 2006)			77	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Atondo-Santos, 178 Fed. Appx. 760 (9th Cir. 2006)	D	108-135	108	W	D	A	G	
U.S. v. Marcial-Santiago, 447 F.3d 715 (9th Cir. 2006)	I	57-71	66	W	D	A	G	
U.S. v. Marcial-Santiago, 447 F.3d 715 (9th Cir. 2006)	I	41-51	46	W	D	A	G	
U.S. v. Marcial-Santiago, 447 F.3d 715 (9th Cir. 2006)	I	41-51	50	W	D	A	G	
U.S. v. Lacson, 177 Fed. Appx. 751 (9th Cir. 2006)	T	30-37	30	W	D	A	G	
U.S. v. Romero-Martinez, 443 F.3d 1185 (9th Cir. 2006)	F	51-63	54	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Bowman, 175 Fed. Appx. 834 (9th Cir. 2006)	S	33-41	33	W	D	A	G	
U.S. v. Maldonado-Gutierrez, 175 Fed. Appx. 795 (9th Cir. 2006)				W	D	A	G	
U.S. v. Becerra-Cortez, 170 Fed. Appx. 481 (9th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Espino-Acata, 170 Fed. Appx. 467 (9th Cir. 2006)	I	46-57	57	W	D	A	G	
U.S. v. Jari, 168 Fed. Appx. 796 (9th Cir. 2006)	T	33-41	33	W	D	A	G	
U.S. v. Barrientos-Maldonado, 168 Fed. Appx. 829 (9th Cir. 2006)	I		57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Sylvester Norman Knows His Gun, III, 438 F.3d 913 (9th Cir. 2006)	S	121-151	132	W	D	A	G	
U.S. v. Plouffe, 445 F.3d 1126 (9th Cir. 2006)	O	57-71	71	W	D	A	G	
U.S. v. Valdovinos, 2006 WL 2661236 (9th Cir. 2006)		360-?	360	W	D	A	G	
U.S. v. Day, 2006 WL 2071038 (9th Cir. 2006)	F		33	W	D	A	G	
U.S. v. Hernandez-Garcia, 2006 WL 1933088 (9th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Souza, 176 Fed. Appx. 852 (9th Cir. 2006)	D			W	D	A	G	
U.S. v. Fajardo, 175 Fed. Appx. 922 (9th Cir. 2006)	T	15-21	15	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Sifuentes Ibarra, 171 Fed. Appx. 195 (9th Cir. 2006)	I		64	W	D	A	G	
U.S. v. Espinoza-Cano, 456 F.3d 1126 (9th Cir. 2006)	I	37-46	37	W	D	A	G	
U.S. v. Martinez, 177 Fed. Appx. 635 (9th Cir. 2006)	I			W	D	A	G	
U.S. v. Mares-Hernandez, 163 Fed. Appx. 561 (9th Cir. 2006)	I		70	W	D	A	G	
U.S. v. Alarid, 2006 WL 3026176 (9th Cir. 2006)	D		130	W	D	A	G	
U.S. v. Soukas, 2006 WL 3005628 (9th Cir. 2006)	T	92-115	92	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mendoza-Santiago, 2006 WL 3017524 (9th Cir. 2006)	I	57-71	63	W	D	A	G	
U.S. v. Nichol, 2006 WL 2818056 (9th Cir. 2006)	D	121-151	121	W	D	A	G	
U.S. v. Rice, 2006 WL 2818056 (9th Cir. 2006)	D		84	W	D	A	G	
U.S. v. Guzman-Valencia, 2006 WL 2827868 (9th Cir. 2006)	D		121	W	D	A	G	
U.S. v. Bromlie, 2006 WL 2827857 (9th Cir. 2006)	F	77-96	96	W	D	A	G	
U.S. v. Marquez-Lerma, 2006 WL 2827735 (9th Cir. 2006)	D		151	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Cisneros-Gonzalez, 2006 WL 2661169 (9th Cir. 2006)	I		51	W	D	A	G	
U.S. v. Ramirez-Cruz, 2006 WL 2637909 (9th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Delgado, 2006 WL 2637478 (9th Cir. 2006)	I	33-41	33	W	D	A	G	
U.S. v. Tran, 2006 WL 2521442 (9th Cir. 2006)		188-235	212	W	D	A	G	
U.S. v. Sanchez-Macias, 2006 WL 2497593 (9th Cir. 2006)	D		48	W	D	A	G	
U.S. v. Ochoa, 2006 WL 2460723 (9th Cir. 2006)	D & O	70-87	87	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Squetimkin, 2006 WL 2233247 (9th Cir. 2006)	S	63-78	78	W	D	A	G	
U.S. v. Zuniga-Camarena, 2006 WL 2170516 (9th Cir. 2006)	I	8-14	13	W	D	A	G	
U.S. v. Serrano-Aguilar, 2006 WL 2096080 (9th Cir. 2006)	I	24-36	24	W	D	A	G	
U.S. v. Hernandez-Toscano, 2006 WL 2136152 (9th Cir. 2006)	I	77-96	77	W	D	A	G	
U.S. v. Serrano, 2006 WL 2085241 (9th Cir. 2006)	D	57-71	57	W	D	A	G	
U.S. v. Garner, 2006 WL 2071448 (9th Cir. 2006)	D & T		98	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Gable, 2006 WL 2074670 (9th Cir. 2006)	O	12-18	12	W	D	A	G	
U.S. v. McGrew, 2006 WL 2070762 (9th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Gordiano-Vergara, 2006 WL 1877207 (9th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Wideman, 187 Fed. Appx. 758 (9th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Martinez-Huerts, 187 Fed. Appx. 721 (9th Cir. 2006)	I	63-78	78	W	D	A	G	
U.S. v. Guinn, 186 Fed. Appx. 798 (9th Cir. 2006)	D	10-16	13	W	D	A	G	
U.S. v. Flowers, 185 Fed. Appx. 669 (9th Cir. 2006)	D	292-365	312	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Marshall, 185 Fed. Appx 578 (9th Cir. 2006)	O	27-33	27	W	D	A	G	
U.S. v. Ortega-Frutos, 2006 WL 3313321 (9th Cir. 2006)	I	77-96	96	W	D	A	G	
U.S. v. Duenas-Jimenez, 2006 WL 3313203 (9th Cir. 2006)	D	51-63	51	W	D	A	G	
U.S. v. Blanco-Gallegos, 2006 WL 3313297 (9th Cir. 2006)	I		77	W	D	A	G	
U.S. v. Deminter, 2006 WL 3312034 (9th Cir. 2006)	T	63-78	63	W	D	A	G	
U.S. v. Lozano Castaneda, 2006 WL 3308361 (9th Cir. 2006)	D	30-37	30	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Balitan, 182 Fed. Appx. 636 (9th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Andres, 178 Fed. Appx. 736 (9th Cir. 2006)	O	41-51	41	W	D	A	G	
U.S. v. Andres, 178 Fed. Appx. 736 (9th Cir. 2006)	O	63-78	65	W	D	A	G	
U.S. v. Mott, 178 Fed. Appx. 634 (9th Cir. 2006)	D	27-33	27	W	D	A	G	
U.S. v. Montalvo-Villa, 177 Fed. Appx. 724 (9th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Bobadilla-Diaz, 176 Fed. Appx. 858 (9th Cir. 2006)	T	10-16	16	W	D	A	G	
U.S. v. Rodriquez-Rodriguez, 441 F.3d 767 (9th Cir. 2006)	I	77-96	77	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Medina-Leon, 172 Fed. Appx. 753 (9th Cir. 2006)	I	21-27	27	W	D	A	G	
U.S. v. Calvillo-Alvarez, 166 Fed. Appx. 983 (9th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Canter, 164 Fed. Appx. 648 (9th Cir. 2006)			51	W	D	A	G	
U.S. v. Martinez-Rosales, 164 Fed. Appx. 618 (9th Cir. 2006)	I	12-18	18	W	D	A	G	
U.S. v. Wenee, 2006 WL 3007727 (9th Cir. 2006)	F	37-46	42	W	D	A	G	
U.S. v. Garcia-Gonzalez, 2006 WL 2639376 (9th Cir. 2006)	I		70	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Morales-Castro, 2006 WL 2466274 (9th Cir. 2006)	I		54	W	D	A	G	
U.S. v. McDonald, 178 Fed. Appx. 643 (9th Cir. 2006)	T	41-51	41	W	D	A	G	
U.S. v. Jacques, 170 Fed. Appx. 476 (9th Cir. 2006)	D	84-105	84	W	D	A	G	
U.S. v. Ramos-Contreras, 2006 WL 2099778 (9th Cir. 2006)	I		77	W	D	A	G	
U.S. v. Lucero, 164 Fed. Appx. 594 (9th Cir. 2006)	D			W	D	A	G	
U.S. v. Molesworth, 2006 WL 2404576 (9th Cir. 2006)	T		13	W	D	R	D	P

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Diaz-Argueta, 447 F.3d 1167 (9th Cir. 2006)	I		46	W	D	R	D	P
U.S. v. Robles-Ayala, 2006 WL 2612686 (9th Cir. 2006)	I	46-57	52	W	D	R	D	P
U.S. v. Flores-Pimienta, 2006 WL 2404503 (9th Cir. 2006)	I	15-21	15	W	D	R	D	P
U.S. v. Vivas, 2006 WL 2357819 (9th Cir. 2006)	F	84-105	84	W	D	R	D	P
U.S. v. Aguilar, 169 Fed. Appx. 503 (9th Cir. 2006)	D	87-108	96	W	D	R	D	P
U.S. v. Ventura, 164 Fed. Appx. 600 (9th Cir. 2006)	T	8-14	12	W	G	A	D	
U.S. v. Vergara-Romano, 2006 WL 2087552 (9th Cir. 2006)	I	77-96	54	W (fast track max)	D	A	G	

TENTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Toliver, 183 Fed. Appx. 745 (10th Cir. 2006)	O	8-14	22	A	D	A	G	
U.S. v. Roubideaux, 176 Fed. Appx. 941 (10th Cir. 2006)	O	5-11	18	A	D	A	G	
U.S. v. Baker, 175 Fed. Appx. 958 (10th Cir. 2006)	O	188-235	264	A	D	A	G	
U.S. v. Valtierra-Rojas, --F.3d--, 2006 WL 3237187 (10th Cir. 2006)	I	21-27	60	A	D	A	G	
U.S. v. Bishop, --F.3d--, 2006 WL 3237027 (10th Cir. 2006)	F	46-57	78	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Pettigrew, --F.3d--, 2006 WL 2946893 (10th Cir. 2006)	O	100-125	126	A	D	A	G	
U.S. v. Cordova, 461 F.3d 1184 (10th Cir. 2006)	O	9-21	36	A	D	A	G	
U.S. v. Dallah, 2006 WL 2294848 (10th Cir. 2006)	O	15-21	36	A	D	A	G	
U.S. v. Terrell, 445 F.3d 1261 (10th Cir. 2006)	D	92-115	78	B	D	A	G	
U.S. v. Chavez-Diaz, 444 F.3d 1223 (10th Cir. 2006)	I	41-51	30	B	D	A	G	
U.S. v. Franklin, 178 Fed. Appx. 776 (10th Cir. 2006)	T	21-27	18	B	D	A	G	
U.S. v. Hernandez-Bustos, 2006 WL 2361642 (10th Cir. 2006)	D	135-	100	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Sutherland, 2006 WL 2328752 (10th Cir. 2006)	S	360-Life	240	B	D	A	G	
U.S. v. Mosley, 457 F.3d 1150 (10th Cir. 2006)	D	188-235	120	B	D	A	G	
U.S. v. Cage, 451 F.3d 585 (10th Cir. 2006)	D	46-57	6 days	B	G	R	G	S
U.S. v. Bailey 187 Fed. Appx. 846 (10th Cir. 2006)	D, F	136-151	120	Stat Max	D	A	G	
U.S. v. Bowie, 2006 WL 2258972 (10th Cir. 2006)	D, F	210-262	180	Stat Max	D	A	G	
U.S. v. Chavez, 187 Fed. Appx. 861 (10th Cir. 2006)	O	0-6	0	W	D	A	G	
U.S. v. Gillespie, 452 F.3d 1183 (10th Cir. 2006)	O		468	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Sagaste-Cruz, 187 Fed. Appx. 804 (10th Cir. 2006)	D, F	Life	Life	W	D	A	G	
U.S. v. Hernandez-Juarez, 185 Fed. Appx. 758 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Mendoza-Guardiola, 184 Fed. Appx. 791 (10th Cir. 2006)	I		24	W	D	A	G	
U.S. v. Loza, 184 Fed. Appx. 772 (10th Cir. 2006)	D, F	78-97	78	W	D	A	G	
U.S. v. Reyes-Soto, 184 Fed. App. 777 (10th Cir. 2006)	D	235-293	235	W	D	A	G	
U.S. v. Serna-Gomez, 184 Fed. Appx. 768 (10th Cir. 2006)	I	70-87	70	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Delgado-Lucio, 184 Fed. Appx. 737 (10th Cir. 2006)	I	37-46	37	W	D	A	G	
U.S. v. Keeble, 184 Fed. Appx. 756 (10th Cir. 2006)	F	92-115	115	W	D	A	G	
U.S. v. Ramirez-Munoz, 184 Fed. Appx. 741 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Johnson, 184 Fed. Appx. 746 (10th Cir. 2006)	D	41-51	46	W	D	A	G	
U.S. v. Jardine, 184 Fed. Appx. 728 (10th Cir. 2006)	F		108	W	D	A	G	
U.S. v. Aguilar-Duenas, 184 Fed. Appx. 685 (10th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Thomas, 183 Fed. Appx. 742 (10th Cir. 2006)	D	151-188	151	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Vences-Flores, 177 Fed. Appx. 791 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Lopez-Flores, 444 F.3d 1218 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Orozco-Sanchez, 2006 WL 991109 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Bodenheimer, 175 Fed. Appx. 978 (10th Cir. 2006)	S		33	W	D	A	G	
U.S. v. Rodriguez-Rojo, 175 Fed. Appx. 982 (10th Cir. 2006)	I	24-30	24	W	D	A	G	
U.S. v. Torres, 176 Fed. Appx. 915 (10th Cir. 2006)	D	210-262	210	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Salome-Gonzales, 174 Fed. Appx. 438 (10th Cir. 2006)	D	70-87	70	W	D	A	G	
U.S. v. Rodriguez-Quintanilla, 442 F.3d 1254 (10th Cir. 2006)	O			W	D	A	G	
U.S. v. Marquez-Olivas, 172 Fed. Appx. 855 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Mares, 441 F.3d 1152 (10th Cir. 2006)	D	51-63	51	W	D	A	G	
U.S. v. Ramos-Perez, 171 Fed. Appx. 727 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Galarza-Payan, 441 F.3d 885 (10th Cir. 2006)	I	57-71	57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Johnson, 169 Fed. Appx. 510 (10th Cir. 2006)	T		41	W	D	A	G	
U.S. v. Pina-Nunez, 167 Fed. Appx. 66 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Hernandez-Rodriguez, 167 Fed. Appx. 56 (10th Cir. 2006)	I	70-87	70	W	D	A	G	
U.S. v. Hughes, 167 Fed. Appx. 59 (10th Cir. 2006)	O	15-21	15	W	D	A	G	
U.S. v. Davis, 437 F.3d 989 (10th Cir. 2006)	F, O	360-life	360	W	D	A	G	
U.S. v. Tapia-Carrasco, 165 Fed. Appx. 685 (10th Cir. 2006)	D	41-51	46	W	D	A	G	
U.S. v. Medrano, 164 Fed. Appx. 737 (10th Cir. 2006)	D	97-121	97	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Reyes-Armendariz, 163 Fed. Appx. 688 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Rockey, 449 F.3d 1099 (10th Cir. 2006)	D		322	W	D	A	G	
U.S. v. Rosales-Trujillo, 180 Fed. Appx. 835 (10th Cir. 2006)	I	77-96	77	W	D	A	G	
U.S. v. Salazar-Alpizar, 182 Fed. Appx. 757 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Flores-Perez, 180 Fed. Appx. 823 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Vaca-Perez, 180 Fed. Appx. 779 (10th Cir. 2006)	I	41-51	41	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Dixon, 179 Fed. Appx. 541 (10th Cir. 2006)	D	188-235	204	W	D	A	G	
U.S. v. Madrid, 178 Fed. Appx. 823 (10th Cir. 2006)	D	121-151	135	W	D	A	G	
U.S. v. Hernandez-Arango, 177 Fed. Appx. 848 (10th Cir. 2006)	I	30-37	33	W	D	A	G	
U.S. v. Oldham, 177 Fed. Appx. 842 (10th Cir. 2006)	S	135-168	135	W	D	A	G	
U.S. v. Gutierrez-Ayala, 179 Fed. Appx. 464 (10th Cir. 2006)	D	87-108	87	W	D	A	G	
U.S. v. Salgado-Hernandez, 179 Fed. Appx. 481 (10th Cir. 2006)	I	46-57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Gomez-Castillo, 179 Fed. Appx. 484 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Perea-Gonzales, 179 Fed. Appx. 474 (10th Cir. 2006)	I	92-115	92	W	D	A	G	
U.S. v. Obando-Landa, 179 Fed. Appx. 477 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Sanchez-Valdez, 179 Fed. Appx. 449 (10th Cir. 2006)	I		42	W	D	A	G	
U.S. v. Somerville, 179 Fed. Appx. 460 (10th Cir. 2006)	D	324-405	324	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Murriega-Santos, 2006 WL 3291683 (10th Cir. 2006)	I	30-37	30	W	D	A	G	
U.S. v. Archuleta, 2006 WL 2963279 (10th Cir. 2006)	T	151-188	188	W	D	A	G	
U.S. v. Ochoa-Villarruel, 2006 WL 2868246 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Flores, 2006 WL 2774035 (10th Cir. 2006)	D		71	W	D	A	G	
U.S. v. Brereton, 2006 WL 2678029 (10th Cir. 2006)	O	12-18	12	W	D	A	G	
U.S. v. Perez-Elvira, 2006 WL 2640527 (10th Cir. 2006)	I	15-21	18	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ochoa-Birueta, 2006 WL 2338071 (10th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Tellez-Acosta, 183 Fed. Appx. 780 (10th Cir. 2006)	I		46	W	D	A	G	
U.S. v. Yelloweagle, 181 Fed. Appx. 734 (10th Cir. 2006)	S		12	W	D	A	G	
U.S. v. Wortman, 182 Fed. Appx. 755 (10th Cir. 2006)	O	3-9	6	W	D	A	G	
U.S. v. Machuca, 172 Fed. Appx. 902 (10th Cir. 2006)	D	84-105	84	W	D	A	G	
U.S. v. Boyd, 172 Fed. Appx. 841 (10th Cir. 2006)	F	151-188	151	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Demeulenaere, 2006 WL 3238102 (10th Cir. 2006)	D		68	W	D	A	G	
U.S. v. Segovia-Torres, 2006 WL 3222260 (10th Cir. 2006)	I	63-78	63	W	D	A	G	
U.S. v. Miller, 2006 WL 3117912 (10th Cir. 2006)	D	110-137	120	W	D	A	G	
U.S. v. Padilla, 2006 WL 3095836 (10th Cir. 2006)	D	70-87	76	W	D	A	G	
U.S. v. Molina-Rascon, 2006 WL 3086714 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Wilson, 2006 WL 3072766 (10th Cir. 2006)	F	70-87	70	W	D	A	G	
U.S. v. Wade, 2006 WL 3059929 (10th Cir. 2006)	O		100	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Clark, 2006 WL 2963958 (10th Cir. 2006)	O	150-157	150	W	D	A	G	
U.S. v. Munoz-Ortiz, 2006 WL 2925296 (10th Cir. 2006)	I	37-46	37	W	D	A	G	
U.S. v. Gutierrez-Palma, 2006 WL 2925293 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Howell, 2006 WL 2868241 (10th Cir. 2006)	D, F	188-235	189	W	D	A	G	
U.S. v. McDonald, 2006 WL 2868231 (10th Cir. 2006)	T		71	W	D	A	G	
U.S. v. Nava-Zamora, 2006 WL 2848085 (10th Cir. 2006)	I	27-33	27	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Perkins, 2006 WL 2811295 (10th Cir. 2006)	F	70-87	70	W	D	A	G	
U.S. v. Caballero-Robles, 2006 WL 2811293 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Velasquez, 2006 WL 2811299 (10th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Martinez-Jimenez, 464 F.3d 1205 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Kostich, 2006 WL 2709665 (10th Cir. 2006)	O	51-63	63	W	D	A	G	
U.S. v. Herula, 464 F.3d 1132 (10th Cir. 2006)	T	188-235	188	W	D	A	G	
U.S. v. Leiker, 2006 WL 2522494 (10th Cir. 2006)	D	235-293	240	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ramirez-Jimenez, 2006 WL 2522484 (10th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Perez-Lopez, 2006 WL 2501422 (10th Cir. 2006)	I	57-71	60	W	D	A	G	
U.S. v. Branson, 463 F.3d 1110 (10th Cir. 2006)	S	51-	51	W	D	A	G	
U.S. v. Torres-Duenas, 461 F.3d 1178 (10th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Knox, 2006 WL 2441495 (10th Cir. 2006)	D			W	D	A	G	
U.S. v. Paredes, 461 F.3d 1190 (10th Cir. 2006)	T	37-46	37	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Lopez-Vasquez, 2006 WL 2391679 (10th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. McCullough, 457 F.3d 1150 (10th Cir. 2006)	D		380	W	D	A	G	
U.S. v. Herrera-Vasquez, 2006 WL 2277955 (10th Cir. 2006)	D	87-108	87	W	D	A	G	
U.S. v. Cordova-Arevalo, 456 F.3d 1229 (10th Cir. 2006)	D	57-71	57	W	D	A	G	
U.S. v. Soto-Soto, 2006 WL 2212080 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Anderson, 2006 WL 2213077 (10th Cir. 2006)	D		113	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Lopez-Camas, 2006 WL 2171491 (10th Cir. 2006)	I	57-71	57	W	D	A	G	
U.S. v. Garcia, 2006 WL 2076799 (10th Cir. 2006)	F	77-96	77	W	D	A	G	
U.S. v. Davis, 2006 WL 2076803 (10th Cir. 2006)	F	57-71	57	W	D	A	G	
U.S. v. Martinez, 455 F.3d 1127 (10th Cir. 2006)	D		210	W	D	A	G	
U.S. v. Osborne, 2006 WL 2065177 (10th Cir. 2006)	F	15-21	15	W	D	A	G	
U.S. v. Lefebvre, 189 Fed. Appx. 767 (10th Cir. 2006)	T	210-262	240	W	D	A	G	
U.S. v. Bustamante, 454 F.3d 1200 (10th Cir. 2006)	D	70-87	78	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Christiansen, 188 Fed. Appx. 767 (10th Cir. 2006)	O	151-188	180	W	D	A	G	
U.S. v. Vaca-Perez, 178 Fed. Appx. 841 (10th Cir. 2006)	I	30-37	30	W	D	R	D	P
U.S. v. Sanchez-Juarez, 446 F.3d 1109 (10th Cir. 2006)	I	41-51	41	W	D	R	D	P
U.S. v. Serna-Valdiviezo, 2006 WL 2328745 (10th Cir. 2006)	I	46-57	57	W	D	R	D	P

ELEVENTH CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rodriguez, 2006 WL 3078934 (11th Cir. 2006)	I	57-71	120	A	D	A	G	
U.S. v. Wesley, 2006 WL 2924070 (11th Cir. 2006)	D	5-11	36	A	D	A	G	
U.S. v. Herrin, 2006 WL 2873201 (11th Cir. 2006)	T, D	6-12	24	A	D	A	G	
U.S. v. Matthews, 2006 WL 2789850 (11th Cir. 2006)	F	92-115	120	A	D	A	G	
U.S. v. Reddick, 2006 WL 1683461 (11th Cir. 2006)	T	110-137	240	A	D	A	G	
U.S. v. Valnor, 451 F.3d 744 (11th Cir. 2006)	T, O	15-21	28	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ford, 2006 WL 1490159 (11th Cir. 2006)	D	5-11	24	A	D	A	G	
U.S. v. Hughes, 2006 WL 1308564 (11th Cir. 2006)	I	33-41	60	A	D	A	G	
U.S. v. Perkins, 2006 WL 1228722 (11th Cir. 2006)	T, O	41-51	96	A	D	A	G	
U.S. v. Hutchinson, 2006 WL 1217876 (11th Cir. 2006)	F, T	8-14	36	A	D	A	G	
U.S. v. Dass, 2006 WL 1159052 (11th Cir. 2006)	F	46-57	72	A	D	A	G	
U.S. v. Eldick, 443 F.3d 783 (11th Cir. 2006)	D, T	87-108	180	A	D	A	G	
U.S. v. Reeves, 2006 WL 684476 (11th Cir. 2006)	T, O	15-21	60	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Germany, 2006 WL 940665 (11th Cir. 2006)	T, F		58	A	D	A	G	
U.S. v. Hardy, 2006 WL 1374500 (11th Cir. 2006)	D	5-11	24	A	D	A	G	
U.S. v. Moore, 443 F.3d 790 (11th Cir. 2006)	D	3-9	18	A	D	A	G	
U.S. v. O'Rourke, 2006 WL 2567600 (11th Cir. 2006)	T	33-41	60	A	D	A	G	
U.S. v. Jose, 2006 WL 2329361 (11th Cir. 2006)	D	60-71	80	A	D	A	G	
U.S. v. Irizarry, 458 F.3d 1208 (11th Cir. 2006)	O	41-51	60	A	D	A	G	
U.S. v. Square, 2006 WL 2243020 (11th Cir. 2006)	D, F	37-46	51	A	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hendricks, 2006 WL 1914599 (11th Cir. 2006)	T	10-16	30	A	D	A	G	
U.S. v. Pugh, 2006 WL 27270 (11th Cir. 2006)	F		210	A	D	A	G	
U.S. v. Chacon-Blanco, 2006 WL 2400942 (11th Cir. 2006)	D	3-9	24	A	D	A	G	
U.S. v. Perkins, 2006 WL 1716053 (11th Cir. 2006)	T	37-46	27	B	D	A	G	
U.S. v. Taylor, 2006 WL 1697177 (11th Cir. 2006)	D	life	360	B	D	A	G	
U.S. v. Luna-Mora, 2006 WL 1236788 (11th Cir. 2006)	I	12-18	8	B	D	A	G	
U.S. v. Martin, 2006 WL 1130764 (11th Cir. 2006)	D	151-188	120	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Johnson, 2006 WL 839077 (11th Cir. 2006)	D	151-188	96	B	D	A	G	
U.S. v. Hill, 2006 WL 648019 (11th Cir. 2006)	D	292-365	250	B	D	A	G	
U.S. v. Sweeting, 437 F.3d 1105 (11th Cir. 2006)	D	33-41	24	B	D	A	G	
U.S. v. Hickman, 2006 WL 988466 (11th Cir. 2006)	D	188-235	150	B	D	A	G	
U.S. v. Smith, 2006 WL 1410053 (11th Cir. 2006)	T, O	life (300)	27	B	D	A	G	
U.S. v. Pitts, 2006 WL 2052728 (11th Cir. 2006)	D	360-life	300	B	D	A	G	
U.S. v. Lewis, 2006 WL 2011502 (11th Cir. 2006)	D	262-327	210	B	D	A	G	
U.S. v. Wilks, 464 F.3d 1240 (11th Cir. 2006)	D	262-367	212	B	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Thompson, 2006 WL 1889745 (11th Cir. 2006)	D	360-life	240	B	D	A	G	
U.S. v. Harrison, 2006 WL 1881439 (11th Cir. 2006)	D		90	B	D	A	G	
U.S. v. Owens, 464 F.3d 1252 (11th Cir. 2006)	T, O		60	B	D	A	G	
U.S. v. Morales, 2006 WL 940643 (11th Cir. 2006)	D	188-235	141	B	D	A	G	
U.S. v. Mathis, 2006 WL 2087568 (11th Cir. 2006)	O	57-71	36	B	D, G	A		
U.S. v. Gray, 453 F.3rd 1323 (11th Cir. 2006)	S	151-188	72	B	G	A	D	
U.S. v. Halsema, 2006 WL 1229005 (11th Cir. 2006)	S	57-71	24	B	G	A	D	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Vawter, 2006 WL 325745 (11th Cir. 2006)	T	24-30	6	B	G	A	D	
U.S. v. Montgomery, 2006 WL 284205 (11th Cir. 2006)	T		8	B	G	A	D	
U.S. v. Williams, 456 F.3d 1353 (11th Cir. 2006)	D	360-life	204	B	G	R	G	S
U.S. v. Arevalo-Juarez, 464 F.3d 1246 (11th Cir. 2006)	I	46-57	30	B	G	R	G	S
U.S. v. Martin, 455 F.3d 1227 (11th Cir. 2006)	T, O	108-135	7 days	B	G	R	G	S
U.S. v. Crisp, 454 F.3d 1285 (11th Cir. 2006)	T, O	6-12	5 hours	B	G	R	G	S
U.S. v. Soto, 2006 WL 3327649 (11th Cir. 2006)	F	60	9	B	G	R	G	S

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Alexander, 2006 WL 2591877 (11th Cir. 2006)	F	135-168	180	mand. Min.	D	A	G	
U.S. v. Luong, 2006 WL 760264 (11th Cir. 2006)	T		136	W	D	A	G	
U.S. v. Valladares, 2006 WL 176936 (11th Cir. 2006)	D	235-293	240	W	D	A	G	
U.S. v. Cifuentes-Prado, 2006 WL 167453 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Jones, 2006 WL 3285272 (11th Cir. 2006)	D, F	46-57	46	W	D	A	G	
U.S. v. Hickson, 2006 WL 3208680 (11th Cir. 2006)	D, F	57-71	57	W	D	A	G	
U.S. v. Henry, 2006 WL 3228402 (11th Cir. 2006)	T	21-27	24	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Small, 2006 WL 3231277 (11th Cir. 2006)	F		151	W	D	A	G	
U.S. v. Baptiste, 2006 WL 3147302 (11th Cir. 2006)	O		9	W	D	A	G	
U.S. v. Martin, 2006 WL 3203937 (11th Cir. 2006)	D, F	188-235	229	W	D	A	G	
U.S. v. Gordon, 2006 WL 3147287 (11th Cir. 2006)	D, F			W	D	A	G	
U.S. v. Smith 2006 WL 3102314 (11th Cir. 2006)	D, F		90	W	D	A	G	
U.S. v. Campaz, 2006 WL 3090546 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Gaddis, 2006 WL 3090139 (11th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. DeAngelis, 2006 WL 3082674 (11th Cir. 2006)	T, O	292-365	300	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Vargas-Medina, 2006 WL 3084287 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Tiu, 2006 WL 3044407 (11th Cir. 2006)	I	57-61	57	W	D	A	G	
U.S. v. Aguirre, 2006 WL 3024708 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Harrington, 2006 WL 3024706 (11th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Casanova, 2006 WL 2990089 (11th Cir. 2006)	D	324-405	324	W	D	A	G	
U.S. v. Vargas, 2006 WL 2990091 (11th Cir. 2006)	I	8-14	12	W	D	A	G	
U.S. v. Allowitz, 2006 WL 2952740 (11th Cir. 2006)	O	121-151	151	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Santiago, 2006 WL 2946882 (11th Cir. 2006)	I	15-21	21	W	D	A	G	
U.S. v. Whelan, 2005 WL 2927353 (11th Cir. 2006)	D		151	W	D	A	G	
U.S. v. Williams, 2006 WL 2877901 (11th Cir. 2006)	D		210	W	D	A	G	
U.S. v. Herrera-Aguilar, 2006 WL 2789847 (11th Cir. 2006)	D	292-365	292	W	D	A	G	
U.S. v. Maysonet, 2006 WL 2769414 (11th Cir. 2006)	F	188-235	188	W	D	A	G	
U.S. v. Moreno, 2006 WL 2826937 (11th Cir. 2006)	D	135-168	144	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Williams, 2006 WL 2817541 (11th Cir. 2006)	D	70-87	78	W	D	A	G	
U.S. v. Johnson, 2006 WL 2805652 (11th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Motes, 2006 WL 2769576 (11th Cir. 2006)	F	30-37	30	W	D	A	G	
U.S. v. Soliman, 2006 WL 1813902 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Abusaid, Jr., 2006 WL 1824025 (11th Cir. 2006)	D, F	97-124	97	W	D	A	G	
U.S. v. Turner, 2006 WL 1785125 (11th Cir. 2006)	S		360	W	D	A	G	
U.S. v. Gonzalez, 2006 WL 1761082 (11th Cir. 2006)	I	6-12	12	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Diaz, 2006 WL 1746891 (11th Cir. 2006)	D		188	W	D	A	G	
U.S. v. Brown, 2006 WL 1746932 (11th Cir. 2006)	T	84-105	105	W	D	A	G	
U.S. v. Perkins, WL 1716053 (11th Cir. 2006)	T	37-46	46	W	D	A	G	
U.S. v. Arredondo, 2006 WL 1697130 (11th Cir. 2006)	D		121	W	D	A	G	
U.S. v. Hernandez, 2006 WL 1674270 (11th Cir. 2006)	D		60	W	D	A	G	
U.S. v. Portocabrero, 2006 WL 1674321 (11th Cir. 2006)	D		151	W	D	A	G	
U.S. v. Holmes, 2006 WL 1674320 (11th Cir. 2006)	F		57	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Dowd, 451 F.3d 1244 (11th Cir. 2006)	T, F	188-235	221	W	D	A	G	
U.S. v. Johnson, 451 F.3d 1239 (11th Cir. 2006)	S	life	1680	W	D	A	G	
U.S. v. Ortiz-Castro, 2006 WL 1519974 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Godinez-Santos, 2006 WL 1490119 (11th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Allen, 2006 WL 1410122 (11th Cir. 2006)	D	262-327	327	W	D	A	G	
U.S. v. Ruben, 2006 WL 1388736 (11th Cir. 2006)	T	41-51	48	W	D	A	G	
U.S. v. Portocarrero, 2006 WL 1342655 (11th Cir. 2006)	D		135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ortiz-Delgado, 451 F.3d 752 (11th Cir. 2006)	S	57-71	60	W	D	A	G	
U.S. v. Rolle, 2006 WL 1582189 (11th Cir. 2006)	D		168	W	D	A	G	
U.S. v. Umbacia, 2006 WL 1582062 (11th Cir. 2006)	D		168	W	D	A	G	
U.S. v. Santacruz, 2006 WL 1559770 (11th Cir. 2006)	D	235-293	235	W	D	A	G	
U.S. v. Velasquez, 2006 WL 1582190 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Bent, 2006 WL 1582191 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Sprague, 2006 WL 1675936 (11th Cir. 2006)	T		33	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Garcia-Delgado, 2006 WL 1626935 (11th Cir. 2006)	I	46-57	51	W	D	A	G	
U.S. v. Joseph, 2006 WL 1626928 (11th Cir. 2006)	I	46-57	46	W	D	A	G	
U.S. v. Laster, 2006 WL 1626972 (11th Cir. 2006)	F	84-105	96	W	D	A	G	
U.S. v. Hernandez, 2006 WL 1697526 (11th Cir. 2006)	I	77-96	80	W	D	A	G	
U.S. v. Vela, 2006 WL 1737387 (11th Cir. 2006)	D	108-135	108	W	D	A	G	
U.S. v. Ludovico, 2006 WL 1342832 (11th Cir. 2006)	F, T		78	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. McElroy, 2006 WL 1228707 (11th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Plata-Mora, 2006 WL 1217877 (11th Cir. 2006)	D		168	W	D	A	G	
U.S. v. Ramirez-Gutierrez, 2006 WL 1217878 (11th Cir. 2006)	I	51-63	60	W	D	A	G	
U.S. v. Vente, 2006 WL 1217875 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Polchantara, 2006 WL 1214191 (11th Cir. 2006)	S	33-41	33	W	D	A	G	
U.S. v. Armas, 2006 WL 1217871 (11th Cir. 2006)	D	135-168	135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mandhal, 2006 WL 1168806 (11th Cir. 2006)	O		168	W	D	A	G	
U.S. v. Patel, 2006 WL 1130866 (11th Cir. 2006)	T	33-41	48	W	D	A	G	
U.S. v. Thomas, 446 F.3d 1348 (11th Cir. 2006)	T, O	121-151	121	W	D	A	G	
U.S. v. Angulo Hernandez, 2006 WL 994076 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Giraldo, 2006 WL 988709 (11th Cir. 2006)	D	57-71	57	W	D	A	G	
U.S. v. Stumpner, 2006 WL 869611 (11th Cir. 2006)	D, F		292	W	D	A	G	
U.S. v. Moore, 2006 WL 887742 (11th Cir. 2006)	F	210-262	210	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Sinisterra-Garcia, 2006 WL 826071 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Lee, 2006 WL 771179 (11th Cir. 2006)	D		360	W	D	A	G	
U.S. v. Garrett, 2006 WL 770645 (11th Cir. 2006)	T, F, O	92-115	92	W	D	A	G	
U.S. v. Flores, WL 2006 891033 (11th Cir. 2006)	D	292-365	292	W	D	A	G	
U.S. v. Colorado, 2006 WL 622740 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Cruz, 2006 WL 620539 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Tapias-Vera, 2006 WL 620618 (11th Cir. 2006)	D		135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Garcia, 2006 WL 584342 (11th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Garcia, 2006 WL 584342 (11th Cir. 2006)	D	324-405	328	W	D	A	G	
U.S. v. Garcia, 2006 WL 584342 (11th Cir. 2006)	D	292-365	328	W	D	A	G	
U.S. v. Daniels, 2006 WL 542560 (11th Cir. 2006)	D		168	W	D	A	G	
U.S. v. Berrio, 2006 WL 467991 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Williams, 2006 WL 463203 (11th Cir. 2006)	T, O	92-115	92	W	D	A	G	
U.S. v. Armas, 2006 WL 1217871 (11th Cir. 2006)	D	135-168	135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Esperance, 2006 WL 250782 (11th Cir. 2006)	D	151-188	151	W	D	A	G	
U.S. v. Hutchins, 2006 WL 1159388 (11th Cir. 2006)	O		63	W	D	A	G	
U.S. v. Oduardo, 2006 WL 231645 (11th Cir. 2006)	D, F		210	W	D	A	G	
U.S. v. Valentierra-Sanchez, 2006 WL 167455 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Love, 2006 WL 133414 (11th Cir. 2006)	S	70-87	70	W	D	A	G	
U.S. v. Baez-Berrios, 2006 WL 139198 (11th Cir. 2006)	I		46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Perlaza, 2006 WL 707130 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Murillo-Moya, 2006 WL 688963 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Abram, 2006 WL 690850 (11th Cir. 2006)	T, F		188	W	D	A	G	
U.S. v. Harden, 2006 WL 690850 (11th Cir. 2006)	T, F		648	W	D	A	G	
U.S. v. Valdez, 2006 WL 648012 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Gomez-Lopez, 2006 WL 1004860 (11th Cir. 2006)	I	41-51	46	W	D	A	G	
U.S. v. Sanders, 2006 WL 1008383 (11th Cir. 2006)	D		324	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Stripling, 2006 WL 1071848(11th Cir. 2006)	D		78	W	D	A	G	
U.S. v. Arboleda, 2006 WL 1168797 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Munoz-Arenas, 2006 WL 1144569 (11th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Shemesh, 2006 WL 1529078 (11th Cir. 2006)	D		78	W	D	A	G	
U.S. v. Honeycutt, 2006 WL 1428297 (11th Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Pinzon, 2006 WL 1457813 (11th Cir. 2006)	D		135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Williams, 2006 WL 1457810 945 (11th Cir. 2006)	D		248	W	D	A	G	
U.S. v. Ugarte, 2006 WL 1490125 (11th Cir. 2006)	I		27	W	D	A	G	
U.S. v. Medrano, 2006 WL 334025 (11th Cir. 2006)	D	168-210	168	W	D	A	G	
U.S. v. Ashcroft, 2006 WL 306173 (11th Cir. 2006)	F		71	W	D	A	G	
U.S. v. Lisbon, 2006 WL 306343 (11th Cir. 2006)	T, F	63-78	63	W	D	A	G	
U.S. v. Gutierrez, 2006 WL 2062132 (11th Cir. 2006)	D		24	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Pitts, 2006 WL 2052728 (11th Cir. 2006)	D	188-235	210	W	D	A	G	
U.S. v. Pitts, 2006 WL 2052728 (11th Cir. 2006)	F	60	60	W	D	A	G	
U.S. v. Morgan, 2006 WL 2033927 (11th Cir. 2006)	D		151	W	D	A	G	
U.S. v. Molden, 2006 WL 2033900 (11th Cir. 2006)	F	110-137	110	W	D	A	G	
U.S. v. Farley, Jr., 2006 WL 2012412 (11th Cir. 2006)	D	188-235	188	W	D	A	G	
U.S. v. Childs, 2006 WL 2769320 (11th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Granja-Portocarrero, 2006 WL 3253994 (11th Cir. 2006)	D	135-168	135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Hubbard, 2006 WL 2683067 (11th Cir. 2006)	F	92-115	92	W	D	A	G	
U.S. v. Moreno, 2006 WL 3253988 (11th Cir. 2006)	D	168-210	168	W	D	A	G	
U.S. v. Hernandez-Flores, 2006 WL 3253953 (11th Cir. 2006)	I	70-87	78	W	D	A	G	
U.S. v. Wright, 2006 WL 2623280 (11th Cir. 2006)	I	57-71	60	W	D	A	G	
U.S. v. Bautista-Enamorado, 2006 WL 2640808 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Spaulding, 2006 WL 2623310 (11th Cir. 2006)	D		188	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Jimenez-Najera, 2006 WL 2613731 (11th Cir. 2006)	D		211	W	D	A	G	
U.S. v. Ramirez-Garcia, 2006 WL 2594990 (11th Cir. 2006)	D	97-121	97	W	D	A	G	
U.S. v. Selgjekaj, 2006 WL 2578691 (11th Cir. 2006)	T	41-51	41	W	D	A	G	
U.S. v. Jiminez-Galan, 2006 WL 2594986 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Diaz, 2006 WL 2577850 (11th Cir. 2006)	D	87-108	87	W	D	A	G	
U.S. v. Freeman, 2006 WL 2567232 (11th Cir. 2006)	S	70-87	75	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Carralero, 2006 WL 2571410 (11th Cir. 2006)	T, O	108-135	121	W	D	A	G	
U.S. v. Burton, 2006 WL 2570868 (11th Cir. 2006)	O	33-41	33	W	D	A	G	
U.S. v. Anderson, 2006 WL 2562093 (11th Cir. 2006)	D, F		78	W	D	A	G	
U.S. v. Bonilla, 463 F.3d 1176 (11th Cir. 2006)	D	108-135	108	W	D	A	G	
U.S. v. Hincapie, 2006 WL 2480445 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Archibald, 2006 WL 2442034 (11th Cir. 2006)	D	135-168	135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Beverly, 2006 WL 2442039 (11th Cir. 2006)	F	210-262	210	W	D	A	G	
U.S. v. Ortega-Correra, 2006 WL 2429999 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Pope, 461 F.3d 1331 (11th Cir. 2006)	D	262-327	262	W	D	A	G	
U.S. v. Urena, 2006 WL 2400940 (11th Cir. 2006)	D		210	W	D	A	G	
U.S. v. Castro, 2006 WL 2356150 (11th Cir. 2006)	D		87	W	D	A	G	
U.S. v. Jimerson, 2006 WL 2272173 (11th Cir. 2006)	D		20	W	D	A	G	
U.S. v. Perez-Colona, 2006 WL 22557926 (11th Cir. 2006)	I	46-57	46	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Ibarra, 2006 WL 2220550 (11th Cir. 2006)	D	70-87	70	W	D	A	G	
U.S. v. Duffis, 2006 WL 2129764 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Espinoza, 2006 WL 1995715 (11th Cir. 2006)	I	8-14	10	W	D	A	G	
U.S. v. Avila, 2006 WL 1982628 (11th Cir. 2006)	D		262	W	D	A	G	
U.S. v. Taylor, 2006 WL 1995608 (11th Cir. 2006)	F	210-262	210	W	D	A	G	
U.S. v. Castro, 455 F.3d 1249 (11th Cir. 2006)	I	41-51	41	W	D	A	G	
U.S. v. Barker, 2006 WL 1889775 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Ellwood, 2006 WL 1913366 (11th Cir. 2006)	D		360	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Velasquez-Cabrere, 2006 WL 1882684 (11th Cir. 2006)	I	46-51	46	W	D	A	G	
U.S. v. Aguilar, 2006 WL 1876670 (11th Cir. 2006)	I	60	60	W	D	A	G	
U.S. v. Martinez, 434 F.3d 1318 (11th Cir. 2006)	I	77-96	87	W	D	A	G	
U.S. v. Clark, 2006 WL 44209 (11th Cir. 2006)	T, F	60	60	W	D	A	G	
U.S. v. Clark, 2006 WL 44209 (11th Cir. 2006)	T, F	262-327	300	W	D	A	G	
U.S. v. Balereso, 2006 WL 16290 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Clark, 2006 Wl 12969 (11th Cir. 2006)	D	195-228	195	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Montelongo, 2006 WL 3326749 (11th Cir. 2006)	I	46-57	50	W	D	A	G	
U.S. v. McIntosh, 2006 WL 3084651 (11th Cir. 2006)	D	360-life	360	W	D	A	G	
U.S. v. Dalimonte, 2006 WL 1913365 (11th Cir. 2006)	S		27 + lifetime supervised release	W	D	A	G	
U.S. v. Maddox, 2006 WL 2012214 (11th Cir. 2006)	F	77-96	84	W	D	A	G	
U.S. v. Munoz, 2006 WL 2075686 (11th Cir. 2006)	D	135-168	135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Mitsven, 452 F.3d 1264 (11th Cir. 2006)	D	21-27	4 + 36 supervis ed release	W	D	A	G	
U.S. v. Paredes, 2006 WL 2189573 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Hoss, 2006 WL 2270924 (11th Cir. 2006)	S	210-262	262	W	D	A	G	
U.S. v. Brown, 2006 WL 2372160 (11th Cir. 2006)	D	63-78	75	W	D	A	G	
U.S. v. Penaloza-Vallejo, 2006 WL 2561841 (11th Cir. 2006)	I		57	W	D	A	G	
U.S. v. Hamilton, 2006 WL 2613737 (11th Cir. 2006)	D	188-235	200	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Parra-Chavez, 2006 WL 2805649 (11th Cir. 2006)	D	235-293	235	W	D	A	G	
U.S. v. Delacruz, 2006 WL 2864617 (11th Cir. 2006)	I	77-96	96	W	D	A	G	
U.S. v. Organes-Gandavilla, 2006 WL 2946871 (11th Cir. 2006)	D		228	W	D	A	G	
U.S. v. De La Rosa-Padilla, 2006 WL 2946867 (11th Cir. 2006)	D		168	W	D	A	G	
U.S. v. Barrios, 2006 WL 2971322 (11th Cir. 2006)	D		135	W	D	A	G	
U.S. v. Moody, 2006 WL 2990087 (11th Cir. 2006)	D	210-262	210	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Winters, 2006 WL 759256 (11th Cir. 2006)	D	151-188	188	W	D	A	G	
U.S. v. Ugarte, 2006 WL 1490125 (11th Cir. 2006)	D		33	W	D	A	G	
U.S. v. Coffindaffer, 2006 WL 3257879 (11th Cir. 2006)	D	168-210	180	W	D	R	D	P
U.S. v. Romero, 2006 WL 1785290 (11th Cir. 2006)	D	70-87	87	W	D	A	G	
U.S. v. Hurtado-Olmedo, 2006 WL 172221 (11th Cir. 2006)	D	135-168	135	W	D	A	G	
U.S. v. Hickson, 2006 WL 3208680 (11th Cir. 2006)	F		60	W	D	A	G	
U.S. v. Estupinan, 2006 WL 1813893 (11th Cir. 2006)	D		135	W	D	A	G	

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Rivera, 2006 WL 1582186 (11th Cir. 2006)	I		18	W	D	A	G	
U.S. v. Serna-Flores, 2006 WL 887315 (11th Cir. 2006)	F, I		30	W	D	A	G	
U.S. v. Lockhart, 2006 WL 318765 (11th Cir. 2006)	T, O		30	W	D	A	G	
U.S. v. Rios, 2006 WL 306408 (11th Cir. 2006)	I		77	W	D	A	G	
U.S. v. Lezcano, 2006 WL 21895339 (11th Cir. 2006)	T		21	W	D	A	G	
U.S. v. Holt, 2006 WL 27271 (11th Cir. 2006)	T		18	W	D	A	G	

DC CIRCUIT

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Coumaris, 2006 WL 2828872 (D.C. Cir. 2006)				W	D	A	G	
U.S. v. Dorcely, 455 F.3d 336 (D.C. Cir. 2006)	T	24-30	24	W	D	A	G	
U.S. v. Gillespie, 436 F.3d 272 (D.C. Cir. 2006)	F	41-51	41	W	D	A	G	

VACATED PANEL DECISIONS TO BE REHEARD EN BANC

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Vonner, 452 F.3d 560 (6th Cir.), *vacated by* 2006 U.S. App. LEXIS 27661 (Oct. 12, 2006)	D	108 - 135	117	W	D	R	D	P
U.S. v. Zavala, 443 F.3d 1165 (9th Cir.), *vacated by* 2006 U.S. App. LEXIS 21490 (Aug. 23, 2006)	D	life	360	B	D	R	D	P
U.S. v. Carty, 453 F.3d 1214 (9th Cir.), *vacated by* 2006 U.S. App. LEXIS 21490 (Aug. 23, 2006)	S		235	W	D	R	D	P

Case Name/Citation	Type of Crime	Guide-line Range	Sentence	Within Above Below	App.: Gov't Def't	Rev'd Aff'd	Who Won? Gov't/ Def't	If Rev'd: Procd/ Subst
U.S. v. Burns, 438 F.3d 826 (8th Cir.), *vacated by* 2006 U.S. App. LEXIS 12239 (May 18, 2006)	D	360-life	144	B	G	A	D	